THE WEEKLY SUN

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RURAL CUSTOMER

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Carmel Abuzz over "Mystery" Poll

By Isabelle Hall

The City of Carmel is abuzz about a poll taken by a professional polling company in the Los Angeles area that asked a lot of specific questions about the inner workings of the city, former Mayor Clint Eastwood and all the local politicians.

Questions asked ranged from do you favor or oppose the Hatton Canyon Freeway to who do you favor for mayor and City Council and do you have a favorable or unfavorable impression of such people as Gov. Pete Wilson, Councilman Jim Wright, Mayor Jean Grace and Eastwood?

Carol Davis, president of Davis Research Co. of Calabasas which did the poll, said she could not disclose who ordered it. "It's confidential. It's privately funded."

She said the pollsters interviewed 300 people whose names were on the current list of registered voters in Carmel.

Clayton Anderson, a director of the Carmel Residents Association (CRA), said the polling group "is the same one used by Clint Eastwood before he ran for mayor in 1986."

Alan Williams, Carmel representative for Eastwood, said, "We don't know anything about it."

A telephone call to the company asking for a copy of the questions and the name of the poll's sponsor was deflected by an employe who said, "We're just a phone room that works for the poll company."

Marcia Kuster Rider, a resident who was called, in a letter to the editor, likened the survey to "Chicago Politics in Carmel?" She claimed it probably "cost in the neighborhood of $20,000 to conduct," and said, "this 'Cal Western Poll' was conducted by the same Los Angeles firm that was hired by Clint Eastwood to do the $20,000 survey he ran to test the waters before he filed for mayor in 1986."

Even those who weren't up in arms at the poll questioned the reason for it. The little city of some 4,300 has been the object of recent polls and petitions lately by both the Carmel Residents Association and the Voice of Carmel, two groups at opposite ends of the local political spectrum. The bickering between

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HEADING FOR THE HILLS, a California Gray Fox darts from his cage at Holman Ranch Friday during a release of four young animals nursed back to health by the SPCA Wildlife Center. Accompanied by a gourmet picnic, the release benefitted the SPCA and the Big Sur Land Trust. Given the honor of opening the cages were Jim Fitch and Dorothy McEwen who hosted the picnic. See page 6 for the story. *Sun photo by Stan Hall*

By One Definition at Least

Drought Ends at Five Years, Eight Months

By Stan Hall

With heavy rains late last week, the region's drought ended at five years and eight months—at least by the National Weather Service's definition. Not everybody buys that definition, but the experts did agree that the drought's effects still will be felt for years.

"It's over," declared meteorologist Robert Renard. "It's not a drought year as far as Monterey is concerned any more.

"But that doesn't wipe out the effects of the damage that has been done over the past five years," he added.

Damaged by the drought which began in 1986-1987 was riparian vegetation along the Carmel River and the wild steelhead in it, landscaping and lawns, some rangelands and crops such as orchards. Harder to quantify are losses suffered by commerce on the peninsula, but a report to the water management district board last month reported most businesses were able to cope with up to 20 percent rationing without too much difficulty.

"I was surprised to hear the Chamber of Commerce say it, but I agree that it's very difficult to separate out the effects of the drought from the effects of the recession," said Darby Fuerst, water resources manager at the Monterey Peninsula Water Management District. "In the same way, it's very difficult to separate the damage to riparian vegetation from the drought and the hard freeze in (December of) 1989."

Renard, retired head of the meteorology department at the Navy Postgraduate School and official weather observer for Monterey, said the National Weather Service's definition of a drought is two or more years of less than median rainfall.

Using that definition, both Monterey and Carmel Valley Village, where weather observer Graham Matthews keeps track of the weather, have moved out of drought conditions for the current rain-year, which is measured from July to June.

In Carmel Valley Village, Matthews has recorded 17.60 inches of rain this rain-year as of Monday, compared to median rainfall for the full rain-year of 15.26 inches.

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Bikes Approved In Garland Park By Commission

By Carolyn Rice

The County Planning Commission approved a new use permit for Garland Park in Carmel Valley Wednesday, allowing bicyclists to use the park's Cooper Ranch addition and share a trail to the Little League park with horses and hikers.

Commissioners, who had slogged through the underbrush a week ago on an inspection trip to the 3,394-acre park, attached 44 conditions in essentially approving what the Monterey Peninsula Regional Park District had asked for in its application.

One change the commission did make

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Cowboy Artist Swanson Leads New Cattlemen's Rights Group

By Stan Hall

Cowboy artist Jack Swanson of Carmel Valley spooned some honey into his coffee, stirred it and licked the spoon.

"Twenty years ago, I never dreamed I'd ever be saying this," he said, looking at notes he had put together for a talk he will give at Quail Lodge Sunday as the leader of a new group aimed at giving cattlemen more political muscle.

What his notes said is that the environmental movement, which he initially supported enthusiastically, has gone too far. Now, he said, it is driving government agencies such as the Forest Service, Bureau of Land Management and the Fish & Wildlife Service to impose policies that threaten to destroy ranchers on the federal range, usurp the rights of private property owners and destroy the cattle-based economies of towns and communities throughout the West.

A resident of the Valley for 41 years, 36 of them on his Whiffle Tree Ranch in Cachagua, Swanson is more typically at home on the end of a paintbrush or a training halter than behind a dais. But that will be his role Sunday when he speaks to those interested in the new organization, The Stewards of the Range Committee. He said he had heard from people as far away as

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Carmel Girls Win CCS Title; Drop NorCal Opener

By Jim Rice

For the first time ever, the Carmel High School girls basketball team won the Central Coast Section Division IV tournament, but the crystal slipper came off its Cinderella season in the first round of NorCal play.

Neck and neck with Carmel during the first half, the Justin-Sienna girls from Napa County ended the Padres season, winning 56-48 Tuesday night at Carmel on the strength of a 12-0 run early in the fourth quarter. The Padres' season

Continued on page 18

LETTERS

A Message to the Rifleman

Please allow me to address the person who on two occasions has shot out the front window of your newspaper office:

I know you are reading this because it's obvious you have read this paper before. Most likely an article angered you, and you chose to vent your anger in this violent but cowardly way. You may be laughing and feeling good about your retribution, but how do you feel about this?

I was in the *Sun* office that Tuesday evening with my 4-year-old daughter. We were using the Xerox machine, kindly provided by Carl, a *Sun* employee. (The machine, next to employee desks is located about five feet from the front window, which has curtains that are always closed). We left unscathed, and Carl resumed his work in the back room. Not 10 minutes later you were shooting your gun at that window—not knowing or caring if anyone was inside.

I was shocked the next day when I heard of our close call with potential tragedy. You could have killed us—would that have made you feel good? We don't deserve your violence in Carmel Valley. Get some help.

Marjorie Ingram
Carmel Valley

Act on the Trigger

Having lived in Carmel for almost 20 years, we're so grateful we made the move when we did. From a suburb of New York City to this paradise was an amazing revelation. I knew traffic congestion as I drove into New York City every day. Now I find our Valley road noisy, crowded and full of speeding drivers. Some time ago, we enacted a trigger mechanism to warn us when traffic reached the saturation point.

Now it has, and what are we doing about it? We must have agreement by our four County supervisors, and it doesn't look like we will. So what will we do?

We write them, tell them about our concern and ask them to put into law the moratorium which their mechanism says should be enforced. Please sit down and get the four letters off to our supervisors. I'll ask our paper to once again list their addresses.

Doug and Janet Despard
Carmel

Second District Supervisor Barbara Shipnuck, PO Box 1004, Salinas, 93902; Third District Supervisor Tom Perkins, PO Box 946, King City, 93930; Fourth District Supervisor Sam Karas, 1200 Aguajito Road, Suite 006, Monterey, 93940; and Fifth District Supervisor Karin Strasser Kauffman, 1200 Aguajito Road, Suite 001, Monterey, The first district seat is vacant after Marc Del Piero's resignation.

Supervisor's Plan Not a Moratorium

There is before the County Board of Supervisors a proposal for Carmel Valley referred to as a "moratorium," which is being offered by Fifth District Supervisor Karin Strasser Kauffman.

This is not a moratorium, it is a sham. Under this proposal, building is permitted if the builder is willing to pay a $27,000 fee (or perhaps $18,000 under a new proposal) to offset the effect of development on traffic in the Valley.

Such a fee falls most heavily on individual lot owners, who are the least serious threat to overbuilding in the Valley. Adding $27,000 or $18,000 to the cost of building a home is a burden on the individual owner. It is, however, no burden at all on a large developer for whom it is simply the cost of doing business. Neither Pacific Union, the owner of the San Carlos Ranch, nor any other large developer will be deterred by adding such a small fee to a home selling for $400,000 or $500,000.

Residents of the Valley are being lulled into a false sense of security by this typically political approach to local problems. Ms. Strasser Kauffman should cease referring to her proposal as a "moratorium." It is a proposal which will allow massive development in the Valley, leading to irreversible damage in pollution, congestion and water shortages, not only in the Valley, but in adjacent communities.

Trying to look like a preservationist, while proposing a vehicle to accomplish the opposite, is "politics as usual."

D. Patrick Gallagher
Carmel

THE WEEKLY SUN

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A Letter from Bay School

To the Folks at the *Sun*:

I would just like to say thank you so much for all your help in saving Bay School and Monastery Beach.

I was going through all the articles the *Sun* published, and I was overwhelmed.

Thank you. Now Bay School will continue to be there for other parents who enjoy its uniqueness.

Your Friend,

Brenda Kovach, president
Bay School

Fifteen Years and $15 Million Later

It has only taken 15 years and about $15 million to learn what water management really means. Judging by the photo on page 16 in your Feb. 13 issue, I would say that the unidentified resident was doing a helluva lot better job of managing (watching) the water flow than bureaucrats Hekhuis or the high paid district employee.

John M. Radon
Carmel Valley

Support for Livingston

Few Candidates offering their services to the City offer the dedication and knowledge of business woman and longtime resident Barbara Livingston. She possesses all of the necessary qualifications for a Council seat.

Joan Horton
Carmel

Cattle Not the Same as Fire

This letter is written in response to the cattleman's point of view expressed by Betty Wilson (*Sun*, Feb. 13). Point Lobos State Reserve is managed with a emphasis on not interfering with the processes that created this unique and wonderful headland with all of its diverse plant and animal communities.

The successional process at Point Lobos did not include cattle. Cattle were introduced by the Spaniards in the 1700's. It was not until the 1930's that cattle were removed and the long recovery process began. Cattle are selective in what they eat, and thus they upset the entire successional process.

Although fire was a natural part of the successional process at Point Lobos, the early managers of the Reserve failed to recognize the importance of its ongoing role. It was not until about 15 years ago that we began to overcome the myth that fire was bad. When cattle were removed from Point Lobos and the natural fire cycle had been broken, the succession from a grassland to an old age pine forest went uncontrolled. Point Lobos had gone from grasslands of limited plant and animal diversity caused by cattle grazing to old age pine forests which also have limited plant and animal diversity.

Today the population of the Monterey Peninsula is encroaching on the very resources that make our community so desirable. Point Lobos is one of those resources. There is more than a monetary cost to keeping Point Lobos for future generations. If our children's children are going to have the same opportunity to experience this magnificent piece of the Central California Coast that our grandparents and we have had, we will have to make some sacrifices. These sacrifices include putting up with smoke from controlled burns.

Glen McGowan
Carmel

The author is chief ranger at Point Lobos.—The Ed.

Park Position Clarified

Just a point of clarification to the article in the *Sun* (March 5), "CVCYC Begins Membership Drive":

As most of us know, the Carmel Valley Community Youth Center and the Carmel Valley Recreation and Park District are two separate entities. The formation of the district established a minimum $24 a year benefit assessment tax which, in part, was to be used to financially assist the Community Center.

The paragraph that needs to be clarified is "...that many residents may believe that funds raised by the $24 a year parcel tax for the park district are used principally for the community Center, but they are not." The article should have continued to read that "because of the district's involvement with the purchase of additional park land and park improvements, funds were diverted to this worthwhile cause."

Randy Randazzo
Carmel Valley

Park Funding Clarified

The Carmel Valley Community Youth Center Board of Directors and I wish to thank you for the wonderful support you have given to our 1992 membership drive. However, in the article of March 5, you reported that I said that many residents may believe that funds raised by the $24 parcel tax for the park district are used principally to fund the Community Center, but, they are not. I would like to clarify that the Park District has spent the majority of those funds in the past three years for the benefit of the entire community by purchasing and developing the Community Park adjacent to the Community Center.

Without the Carmel Valley Recreation and Park District's hard work and diligence, the community would not be able to enjoy such a magnificent park and preserved open space as we now have. Thank you, CVRPD for all your efforts in making the Community Park a wonderful addition to the Village of Carmel Valley.

Kathleen Tarp, director
Carmel Valley Community Youth Center

See page 16 for more letters.

Land Trust Urges Park to Buy Land Closest to Development

By Carolyn Rice

The executive director of The Big Sur Land Trust urged directors of the Monterey Peninsula Regional Park District Wednesday to use $2.8 million it has for land acquisition to buy property that is closest to being developed.

The park district is looking at five Carmel Valley parcels which adjoin Garland Park in Carmel Valley for possible purchase with so-called mountain lion habitat funds.

General Manager Gary Tate told the *Sun* that the board, acting in closed session after the public meeting, authorized an appraisal of the Serro property across Carmel Valley Road from Garland Park and directed him to continue negotiations with other landowners.

During the public meeting, Brian Steen of the Big Sur Land Trust urged the park directors to look first at the possibility of buying "parcels which have real threats of development. Look very strongly at those parcels."

The $2.8 million has come to the park district during the past two years by way of Proposition 117—informally called the mountain lion initiative. After looking at 31 potential land purchases, the park district staff narrowed the choices to five parcels which include:

- 82-acre Veeder Ranch which has a 31 lot subdivision pending.
- 700-acre Kahn Ranch in Hitchcock Canyon.
- 35 acres owned by Moo Land Corp. at the east side of Garland Park along the Carmel River. It is currently leased by the park district and open to the public.
- The 40-acre Wolter parcel in lower Garzas Canyon.
- The 46-acre stream side forest property adjacent to Carmel Valley Road and Rancho Fiesta Road owned by Sero Development Corp. of Los Angeles.

Tate also told the *Sun* in response to a question that he thought that Tom Condon's proposed Veeder Ranch subdivision was probably the closest to being developed of the five high-priority properties. "He's been working on it for 14 years, you know," Tate said. "Right now, he's just waiting on the scoring by the subdivision evaluation committee."

The Big Sur Land Trust already has paid to have an appraisal done of Veeder Ranch, but Tate said he was not at liberty to disclose what the appraiser concluded.

Asked when the park district directors might make a decision, Tate said he hoped that it would be within two to three months. He said some of its deliberations will be conducted in closed session, but that a public hearing will be held once all the facts are gathered and before formal action is taken.

The park district staff evaluated the 31 potential properties for their resource significance, threat of loss and willingness of the owner to sell. Tate said the proposition which makes these funds available states that wildlife habitat is the primary concern and public access is secondary.

The regional park district received $1.5 million in both fiscal years 1990-1991 and 1991-1992. The same amount is slated to go to the State Parks Department in 1992-93, Tate said. The regional park district previously spent $178,000 of Proposition 117 funds on the purchase part of some Condon property to add to the park.

State Parks is entering into negotiations for the 1,800 acre Point Lobos Ranch, Tate said, and the regional park district agreed that eight years of funding from the habitat initiative would be set aside to assist in that purchase.

When passed in 1990, Proposition 117 created a $30 million yearly fund to protect deer, mountain lion, and rare, endangered or fully protected species of wildlife or plant populations. From those funds, $1.5 million has been set aside for land purchases in the Santa Lucia Mountains in Monterey County each year until 2020.

In other business, park district directors voted 5-0 to recommend that all Fort Ord land west of Highway 1 be set aside as the Monterey Bay State Seashore.

The board also looked at general concepts regarding preservation of open space for parks and natural habitats at Fort Ord. It voted 4-1 to approve the open space concept and to support County, state and federal agencies in their acquisition efforts.

Director Robert Griffin voted against the action, saying "I'd like to approve something final rather than conceptual."

But Director Zad Leavy said the whole process with Fort Ord is incremental with "the cities grabbing to get ahead of the pack. The Fort Ord Advisory Board is looking for guidance from boards like this," he said. "If we stand back and wait, we'll be lost."

Steve Addington, with the Bureau of Land Management at Hollister, said his agency is looking at 11,500 acres of Fort Ord land but at this time has not taken a position on federal retention of it.

"Some species occur out there that are not known in any place else in the world."

When someone in the audience asked him what species he was talking about, Addington deferred to Nikki Nedeff, park district naturalist, who described three species of manzanitas and ceonothus. "It's the last refuge for these species," said Nedeff who said the airport and Seaside "wiped out huge chunks of maritime chaparral."

Directors also discussed their long-running fuss with Sand City over the park district's request to amend Sand City's local coastal plan to make public park and open space the "preferred" land use in the area west of Highway 1. Tate then told directors they might need to go into executive session because of threatened litigation.

Dick Goblirsch, city manager for Sand City, said "I don't think you can go into closed session." He said neither he nor his City Council had ever threatened litigation on the matter.

Tate told him he'd seen it on a city agenda, but Goblirsch said that was about another matter involving the park district.

Board Chair Dina Stansbury said Pacific Grove, in its local coastal plan, uses the word "preferred" to describe open space and parks on its shoreline.

Director Sean Flavin remarked it was different in Pacific Grove with existing development going to the ocean all along the shoreline.

Leavy said the regional park district was merely following state dictates as laid out in Proposition 20 with the use of the word "preferred." "It's not illogical and not something being pulled out of the hat. I do feel we should include the word 'preferred.'"

Leavy noted the matter had gone on since October, 1989. "I think the city has diddled around long enough."

Griffin urged the directors to meet directly with the Sand City Council. "I absolutely want to sit down and talk and work things out at the simplest level," he said. Directors agreed to meet with council members within the month.

McCampbell Holds Weekend Meetings

Bill McCampbell, Republican candidate for the 17th Congressional District, will hold an open forum Sunday at All Saints Church in Carmel.

McCampbell, who is challenging Rep. Leon Panetta of Carmel Valley, will conduct the meeting at 5 p.m. The church is on Dolores between Ninth and Tenth Avenues.

The candidate also announced that he will hold his regular weekly meeting at the Laguna Seca Golf Club Saturday at 10:30 a.m. for the public to meet him and discuss the issues.



A MAP OF GARLAND PARK'S proposed bicycle trails to the Carmel Valley Little League park from nearby neighborhoods is examined during the Planning Commission's tour of the park. Facing the camera at left are Gary Tate, regional park district general manager, and board president Zad Leavy. The man in front is unidentified. See story on front page. *Sun photo by Carolyn Rice*

Livingston Leads in Contributions

The first spending reports filed with the Carmel City Clerk for the April 14 election show Barbara Livingston, a candidate for the Council, has raised the most money to date—$5,346.41, some $1,200 of the total in the form of personal loans.

Two candidates—Barney Laiolo who is running for mayor and John Thompson, a council candidate—filed reports stating that they did not intend to receive or spend $1,000 or more, and thus far had neither received nor spent any money. One thousand dollars is the maximum a political candidate can receive or spend without having to report under the Fair Campaign Practices Act.

Councilman Ken White, a candidate for mayor, reported contributions of $2,799, including $1,000 from R. F. White, his mother, $499 in amounts of less than $100, and expenditures of $1,402.02.

Council candidate Phil Coniglio reported receiving $1,199 and spending $356.66 while Don Kremer, also running for council, reported receiving $694.98 and spending $411.73.

Livingston's campaign chest included a $1,000 loan from her interior design firm and in-kind loans for photographs and postage from herself totaling $288.41. The report showed she received $2,108 in amounts of less than $100. She had spent $672.63 thus far but did not say on what. Livingston is a member of the Carmel Residents Association (CRA) and just stepped down as a director of the group during her run for office. Her report was filed by treasurer Margaret L. Purchase.

White, also a member of the CRA, listed expenditures for campaign buttons, postage and newspaper advertising in a report filed by treasurer Stephen A. Brooks, husband of Councilwoman Barbara Brooks.

Coniglio, in a report by treasurer Phyllis E. Howard, listed receiving money from just two sources: $1,000 from his mother, Carla, $100 from Lindsay Hanna, a former fellow member of the Planning Commission, and one $99 contribution. His only expenditure listed was for campaign buttons.

Kremer, whose treasurer is Steve Miller, loaned himself $198.98 and reported contributions of less than $100 each totaling $396 which do not have to be reported individually. His only contribution of $100 was from Miller. He spent $411.73 on postage and printing.

Following are the other contributions reported:

Livingston: $200 from Douglas L. Stevens; $150 from Carl Livingston; and $100 each from Arthur R. Albrecht, Clayton E. Anderson, Stephen A. Brooks, Mike Brown, Robert W. Campbell, Frances M. Farina, Richard Giddings, Barry Livingston, David R. Maradei, Mark Meryash, Jerry Patterson, Howard Skidmore, Zaza Skidmore, Pamela D. Smith, Marjorie L. Timmins and James R. Wright.

White received: $200 from Kenneth Hepper and $100 each from Stephen A. Brooks, Frances M. Farina, John Thodos, Clayton Anderson, R.A. Weitzman, David J. Banks, Edward M. Hicks, Robert C. Clifford, John F. Powers, William A. Campbell and Morlev Brown.



BARGAINS GALORE awaited early-bird shoppers at the Carmel Valley History Society's yard sale last Saturday and Sunday at the old Bank of America Building in Carmel Valley Village. President Marvin Pylate said the society typically earns $1,000 with its periodic yard sales. *Sun photo by Stan Hall*

SHERIFF'S LOG

CARMEL. A student at Carmel High reported her locker had been broken into and her back pack stolen. 3/5.

CARMEL. A man who lives on Carmel Knolls said someone illegally used his credit card and forged his name. 3/5.

Tourist Loses Fanny Pack

RIO ROAD. A woman from Fort Bragg, Calif., reported she lost her fanny pack containing her wallet somewhere near Rio Grill. 3/5.

VILLAGE. A man reported trash had been dumped on airport property near Poppy Road. 3/5.

VILLAGE. A bookkeeper at Gardiners Tennis Ranch reported the theft of a golf cart and cart battery charger. 3/5.

HIGHWAY 1. A man reported hearing a woman's screams from Hatton Canyon; deputies investigated, but found nothing. 3/5.

EAST VALLEY. A Cal-Am employee reported juveniles were riding dirt bikes at the Los Padres Dam parking lot and vicinity. 3/6.

CARMEL. A Carmel Valley woman reported her car was burglarized while parked overnight on Camino Del Monte near San Marcus. 3/7.

Cabins Broken Into

MID VALLEY. A Monterey man reported his cabin at White Rock was broken into and food stolen; he said a neighboring cabin also was broken into, but he did not know if anything had been taken. 3/7.

SOUTH COAST. A woman was found in Wild Cattle Canyon in possession of hallucinogenic mushrooms. 3/7.

CARMEL HIGHLANDS. A man reported his bicycle was stolen from the back of his pickup while it was parked on Carmel Riviera Drive. 3/7.

Golf Course Damaged

MID VALLEY. The pro at Quail Lodge Golf Course said a vehicle was driven across greens and the fifth fairway overnight, causing an estimated $500 damage. 3/8.

BIG SUR. A 58-year-old hiker from San Jose was found safe and asleep by the Sheriff's Rescue Team and the SEAT Volunteers about two miles from Bouchers Gap after he got lost during a day hike. 3/8.

MID VALLEY. A Monterey man complained a Carmel Valley man kicked his car in the parking lot at Mid Valley Shopping Center. 3/2.

VILLAGE. The director of the Carmel Valley Youth Center reported someone entered the building during the night and threw food at one wall. 3/2.

VALLEY. A woman reported four railroad ties, a roll of fence wire and two shovels were taken from her home on Carmel Valley Road. 3/2.

CARMEL. A woman who lives on Carmel Knolls reported hearing cries for help in her neighborhood; deputies concluded a construction crew working next door had just been playing around. 3/2.

Trespassers Protested

CACHAGUA. A Carmel Valley woman complained about trespassers continually cutting across her property in Cachagua. 3/2.

BIG SUR. A man reported someone pried open the door to his home in Laugher Canyon took took some cash. 3/2.

RIO ROAD. An attendant at Rio Road Chevron said one of the station's customers gave him a counterfeit $100 bill. 3/2.

CARMEL. A woman who lives on Valley View said her live-in nurse may have used her credit card without permission. 3/2.

VALLEY. A security company reported an alarm sounded at Carmel Valley Racquet Club; investigators said they found pry marks on a door, but no one had got in. 3/2.

CARMEL. A man reported someone stole several thousand dollars worth of tools out of his parked truck. 3/3.

Stolen Car Recovered

VILLAGE. The Marina police asked the sheriff's office for help in recovering a stolen VW van that was found parked on Paso Hondo. 3/3.

CACHAGUA. The owner of a store in Cachagua reported a hole in one of his windows. 3/4.

CARMEL. A man reported someone tried to steal the outboard motor off his boat while in was parked near Randal and 5th. 3/4.

CARMEL RANCHO. Albertsons employees said a customer put two boxes of firewood in his car but had paid for only one. 3/5.

Lab Reports Pellets Broke *Sun* Window In Second Shooting

Laboratory analysis showed it was a pellet gun that shot out one of the big front windows in *The Weekly Sun* offices in Carmel Valley Village March 3, Deputy Sheriff John Burke reported Monday.

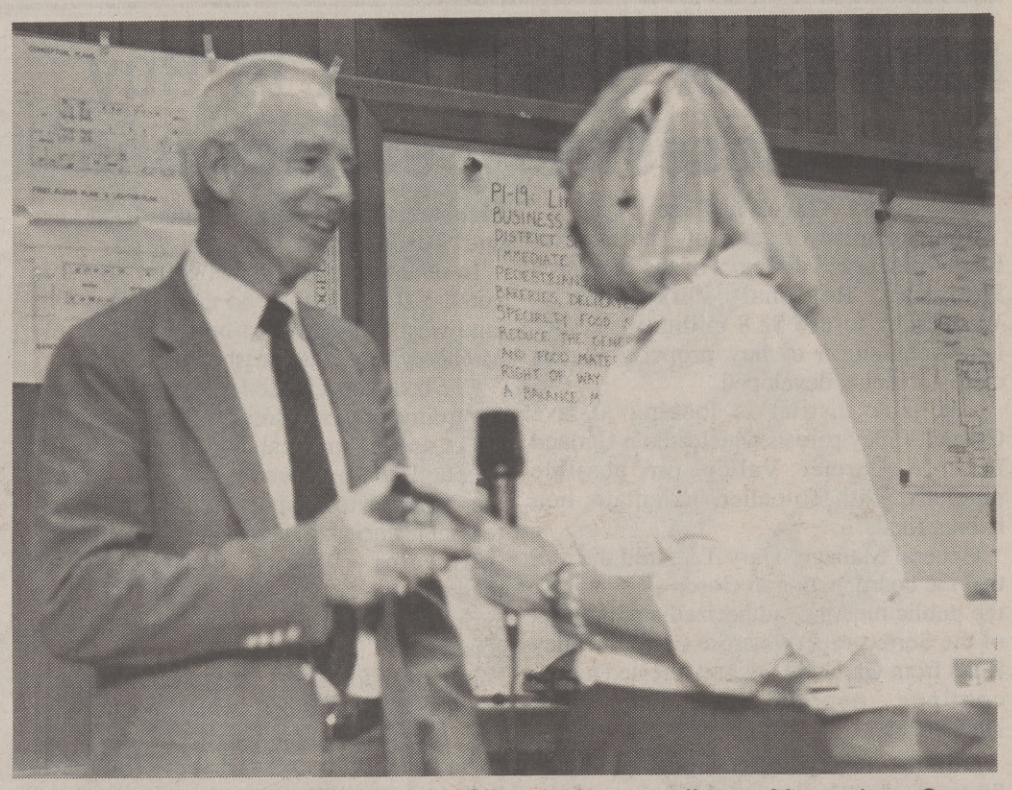
"It's some relief to learn that a larger, more deadly firearm wasn't used in the shooting," said *Sun* Editor Stan Hall. "But it's still a dangerous, costly, cowardly act—totally uncalled for."

The shooting on March 3, in which two projectiles were fired through a five-by-seven foot window and one hit a brick wall below it, was the second time in three weeks a *Sun* window had been shot out. The plate-glass windows cost $300 each.

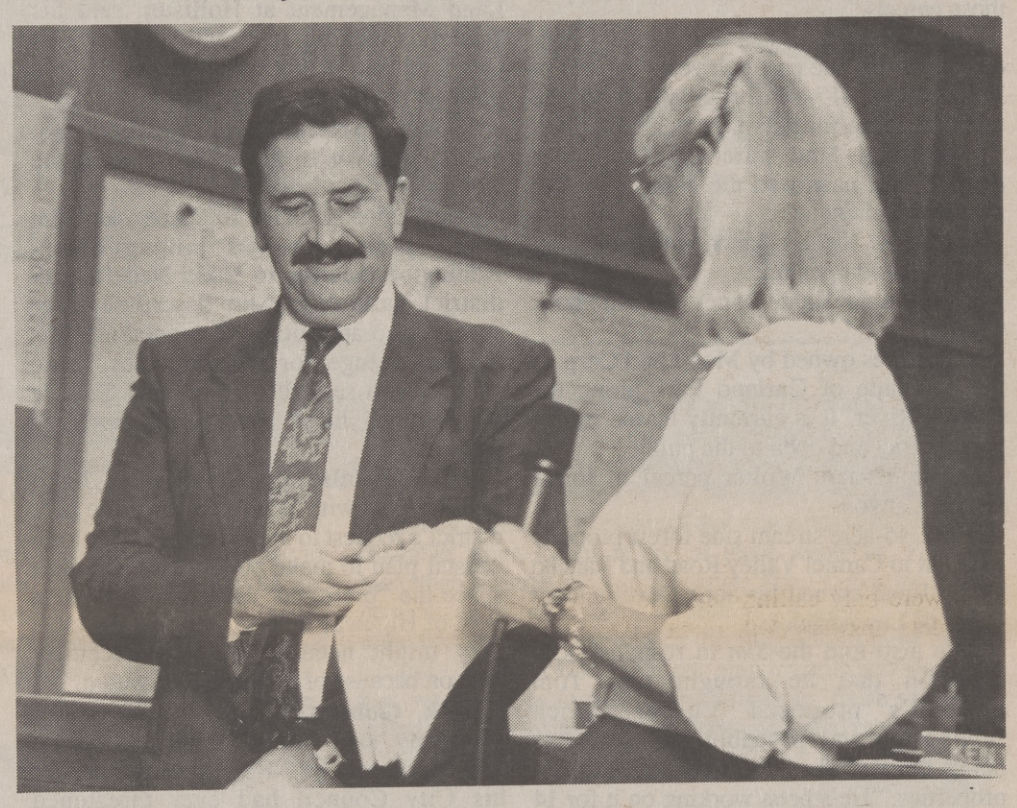
The second shooting occurred about 6:15 p.m. while one employee still was in the building and shortly after a Carmel Valley woman and her 4-year-old daughter had left the office. (See Letter to the Editor on page 2.)

Carl Leaver, the *Sun* employee still working at the time, said the shots were fired in rapid order and sounded like firecrackers going off. Burke was the deputy who originally investigated the shooting.

"I hope anybody who has information about these shootings will contact me or the sheriff's office," Hall said. He added authorities had told him shooting into a building is a felony.



CARMEL POLICE CHIEF John J. McGilvray, above, smiles as Mayor Jean Grace reads a poem written by City employee Sarah Manning to note his 10-year service award. Capt. Donald P. Fuselier, below, received his 20-year service award during brief ceremonies at City Hall March 3. *Sun photos by Isabelle Hall*



Supervisors Told

Illegal Grading Repair Finished

John A. Murphy has complied with the terms of a settlement of the illegal grading case against him, paying a $125,000 fine and removing and restoring eight miles of road on his Big Sur ranch, the Board of Supervisors was told Tuesday.

In a report to the board, Zoning Administrator Dale Ellis said work on Murphy's Little Horse Ranch to restore the illegally graded roads had been completed as agreed upon in the settlement. He said the work included:

- Restoration of 46 stream crossings, mainly in Wildcat Canyon.
- Removal of some 8,665 yards of graded material from stream beds and hillsides; some 4,847 cubic yards were placed back on roadbeds.
- Nearly 11 acres of ground were reseeded and fertilized, and an additional 2.73 acres mulched with straw to prevent erosion.
- A so-called double tank trap was dug across the road at the upper end of Wildcat Road to keep vehicles off the restored areas.

"Mr. Murphy has completed all corrective work that needs to be done," said Senior Deputy County Counsel J. R. Ramos in a covering memorandum to the board.

He also said Murphy, a lawyer and Arizona developer, paid his fine, "the largest such fine paid in Monterey County," with a $125,000 check delivered to the district attorney's office Dec. 31.

Murphy graded or regraded several miles of roads on the 1,400-acre ranch which overlooks the Big Sur Coast without getting a County or Coastal Permit. In a three-year legal fight, he said he graded the roads with the knowledge of at least some County officials and at the urging of the California Department of Forestry, which wanted additional fire trails into the rugged terrain.

When Murphy agreed to the settlement last fall, state and County officials hailed it as the largest one in the County's history. Under terms of the settlement, the restoration work was supposed to be completed by Dec. 15, and Ellis said his office completed the last of eight inspects on the ranch Dec. 18.

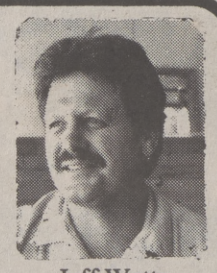
Ellis' report was accompanied by a series of color photographs showing before and after scenes of the roads and stream beds. The work that was done was recommended by a consultant, Pacific Watershed Associates, which is known for its success in restoring and removing old logging roads from Northern California redwood forests.

Council Has Special Session on Monday

A special City Council session Monday called to consider the Cal-Am Water Co.'s long-delayed replacement of old water mains has been expanded.

Mayor Jean Grace announced Wednesday that the 3:30 p.m. session also will consider the Carmel Area Wastewater District's request for a use permit to run a reclaimed water transmission pipeline through the city.

Also on the agenda when the meeting originally was announced is a report from the Planning Department on Floor Area Ratios (FAR) for large lots. Added to the agenda is a resolution authorizing funds to pay for Det. Sgt. Pete Poitras to attend the FBI National Academy.

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"Mystery" Poll Is Talk of the Town

Continued from front page

groups has tended even to overshadow the candidates in the upcoming City Council election April 14.

Pat Sippel, new president of the Voice of Carmel, had been out of town and had not heard about the poll. She told the *Sun*, "This sounds very political to me. I will tell you unequivocally that we're (the Voice) not involved."

Bob D'Isidorio, president of the newly-formed Citizens Committee for Good Government (CCGG), was equally surprised. He said his group "has no knowledge of it, and we met as recently as last Friday."

Eastwood is a member of both the Voice, an eight-person public benefit corporation which is not political, and CCGG, a political committee formed to participate in the election.

Grace, one of those who got a telephone call Sunday from the pollsters, said she did not answer the questions because one of them was about her.

"I asked that all the questions be read to me, and I was amazed to hear how they were doing the poll. It didn't appear to me to be statistically valid. The questions were not aimed at "Yes" "No" or "No Comment," but only "Yes or No." It was either black or white.

"I'm very mystified as to what the purpose is," Grace said.

However, others characterized the poll as "very sophisticated" and aimed at collecting "an incredible amount of information" that would be very valuable. "It's like a Republican or Democratic national poll," one woman said. "Testing the name identification is very professional."

"Something strange is going on," said Marian Liedig. She and her husband, Glenn, declined to answer the questions after being tipped off about the poll by friends who were called.

Some of the pollsters told people they were only calling until they got 300 complete answers. Others called had the impression the list of registered voters from the election in 1990 comprised who was being called and that it was a very broad survey. Each call took about 20 minutes.

Jim Holliday, president of the CRA, said he was questioned by a man named John Torres who told him in response to a question that his name would be attached to his answers.

As reconstructed by two of the people who received a call, these were the questions asked:

1. What is the most important issue affecting your area?

2. Please indicate if you have heard of the following people and, if you have, whether you have a favorable or unfavorable impression of them: Pete Wilson, Jim Wright, Phil Coniglio, Clint Eastwood, Bob Fischer, Jean Grace, Sam Karas, Karin Strasser Kauffman, Don Kremer, Bernard Laiolo, Barbara Livingston, Tom Perkins, Barbara Shipnuck, Pat Sippel, John Thompson and Ken White.

3. How do you think the following are doing: Very good, good, Poor or Very Poor: Board of Supervisors, your local Planning Staff, your local Police Department, your local City staff, your City Council as a whole?

4. Has the Water District handled rationing fairly or unfairly?

5. If the election were today, would you vote for Bush or Clinton?

6. If the election were today whom would you vote for for mayor of Carmel, Barney Laiolo or Ken White?

7. If the election were today, what two candidates would you vote for for Carmel City Council: Phil Coniglio, Don Kremer, Barbara Livingston, John Thompson?

8. Is there anyone not on the ballot you would like to see run for mayor?

9. Is there anyone not on the ballot you would like to see run for City Council?

10. Are you for or against Hatton Canyon Freeway?

11. Are you for or against widening Highway 1?

12. Are you for or against Cañada de la Segunda road. (there was an explanation of what it is).

13. Do you favor or oppose a combination of widening Highway 1 plus the building of Cañada de la Segunda road?

14. Do you favor annexation of Carmel Woods? Hatton Fields? Carmel Point?

15. Currently your city has three commercial zones. After 14 months of study, your Planning Commission has recommended a new two-zone system:

A. A buffer zone that would protect the residential area, and

B. A commercial zone which would encourage quality business for area residents.

Do you favor or oppose this?

16. Which of the following would you favor for a water solution:

A. Los Padres dam

B. A combination of a desalination plant and a smaller dam

C. An off-stream reservoir in Cañada Canyon?

17. Which newspaper do you rely on most for local information. *The Pine Cone, Herald* or *Weekly Sun?*

18. Do you own your house or rent?

19. What is your age?

Mini-Parks Vandalized; Sign Stolen

Four of Carmel's brand new mini parks have been vandalized and one of the new signs celebrating the "Year of the Carmel Forest" stolen within the past few days.

City Forester Gary Kelly said "We've never had anything like this happen before." He had no dollar estimate of damage.

"I'm not sure if it's deliberate," Kelly said. "But it would be a coincidence that it's happened at the same time. We'll try to be on the lookout in the future, and we're going to put some boulders in and additional reflectors."

The mini-parks have been the subject of debate recently with some residents believing the city's money would be better spent on street repairs.

Damaged were two new parks at Eleventh and Lincoln where the sign was removed from its post; the northwest corner of Fourth and Dolores which was driven through damaging plantings; and a park on the west side of San Carlos between Fourth and Fifth which also was driven through.

Kelly said the city had five more signs to put up. The City Council approved the Beach and Forest Commission's decision to create five residential mini-parks and five in the downtown area this year.



Kelly explained that none were being built in the residential area unless the immediate neighbors agreed. He also said no more would be built downtown because "There is too much negativity about affecting parking. We don't want to affect parking."

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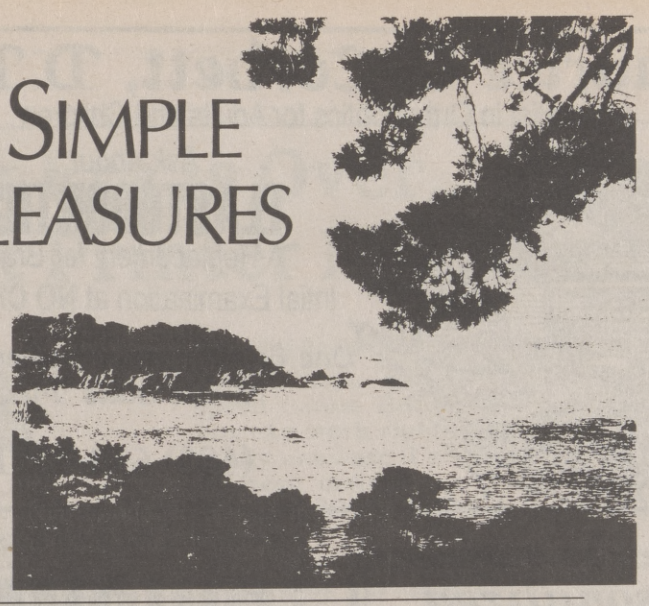
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Coach, 17, and Pupil, 16, Score At Synchronized Swim Nationals

By Carolyn Rice

Not too many 17-year-olds coach a top notch 16-year-old athlete with national and international potential, but that is the case with Desiree Castro and Heather Pease.

Pease lives in Carmel Valley, and her good friend and former synchronized swimming partner lives in Carmel. They have swum together for seven years.

In February, the two young women traveled to the Junior Nationals in Tallahassee where Pease displayed her skill in synchronized swimming, and Castro picked up coaching offers from the University of Arizona and the Walnut Creek Swim Club.

"That was pretty exciting," Castro said. "They saw what I did with Heather. They think I have potential as a coach." Castro said she choreographed Pease's synchronized swim routine.

At Tallahassee, Pease placed second in figures, fourth in solo, and first overall in national team trials. Fifty swimmers competed in the national team trials.

A member of the junior national team for the past two years, Pease clearly has her eye on the 1996 Olympic competition, according to her father, Doug Pease.

She plans to compete in several more national competitions before the end of the school year including and Junior National Team Trials in Tucson, Ariz., Senior Nationals in Oklahoma City, Okla. and the Olympic Trials in Pasadena.

The 1992 Olympic team is already set, and the Pasadena trials allow other top U.S. swimmers to compete against Olympic team members, Castro said.

Chances are very good Pease will be selected again this year for the junior national team which has 10 members and two alternates, Castro said.

Although just a junior at Robert Louis Stevenson, Pease will complete her graduation requirements a year early and has applied for college at St. Mary's in Moraga next year. She plans to train with the Walnut Creek team next year, Castro said.

Castro said the two became close friends during the seven years they swam together with the Cypress Swim Club. Castro became Pease's coach after they both resigned from the club late last year. Castro said due to swim club rules Pease could not affiliate with another club for four months and they hit upon the idea of Castro coaching her.

Castro said the coach/athlete relation-ship has worked well for them. "She knows how I am when I get upset with her. We know how to push each other."

Castro said she can see the mistakes Pease makes in her swimming. "I have made them in my own swimming." She said she also tries to learn a lot from other coaches.

But Castro said she will not be the one to take Pease to the 1996 Olympics. "I'd like to continue, but I don't have as much skill as coaches who've coached 25 years."

Castro said she hasn't missed swimming since she quit last November, but she does miss the exercise. A senior at Carmel High School, she plans to attend the University of California at Los Angeles next fall.

"I still want to perform," she said, adding she enjoyed dancing with a high school group and acting in a school play.

One hardship the young women face is the lack of a pool where Pease can practice. Castro said they practice at the small pool at Carmel High, but Pease really needs a full-length pool that is deep when practicing her routines.



COACH AND ATHLETE, Desiree Castro and Heather Pease, have competed together as partners for seven years in synchronized swimming. Now Castro is coaching Pease in her competitions this spring. *Sun photo by Carolyn Rice*

Fox, Hawks Freed at Holman Ranch by SPCA Wildlife Center

By Stan Hall

The little fox bounded down the grassy hillside, across a ravine and about halfway up another rise. There, he stopped and looked back.

It was a picture-perfect morning. An overnight rain had washed the grass, and now a bright sun filled the sparkling sky except for a few puffy clouds that looked like they had just been laundered, too.

The fox didn't pause long. Looking back about a quarter mile to where about 30 people were lined up watching him, he seemed to be saying something like: "So long, folks. Thanks for being kind to me, but now I've got places to go and things to see."

Two California gray fox, each brought to the hill on Carmel Valley's Holman Ranch in a pet carrier about the size used for cats, and two red tail hawks were released to the wild Friday in an informal ceremony marking the 10th anniversary of Wildlife Rescue and Rehabilitation Center of the SPCA of Monterey County.

Injured, orphaned or both, all four young animals had been nursed back to health at the Wildlife Center until they were judged strong enough for a chance to make it on their own in the wild.

Accompanied by a gourmet picnic at the ranch, the release benefitted the SPCA and the Big Sur Land Trust. In recognition of their hosting the picnic, Dorothy McEwen and Jim Fitch of Holman Ranch were given the honor of opening the carriers and letting the little fox out.

One dashed out immediately, bounding high in the air at one point to see where he wanted to run. The second wasn't too sure what awaited him out in the real world. He stuck his nose out cautiously, sniffed the air and then took off down the hillside.

He was the one who paused as if to thank the people who had taken care of him when he was hurt.

Harriett Mittledorf of Pebble Beach, a benefactor of the Land Trust, opened a small cardboard box containing the first hawk, and he flew smartly to the west, soaring over a nearby live oak tree. Let out of his box by a SPCA staff member, the second bird streaked to the south close to the ground, causing one of the TV cameramen on hand to have to duck.

Anne Mills, president of the Monterey County Friends of the Wildlife, briefly told the crowd about the animals before they were released. One hawk, she said, had been brought to the Wildlife Center with a broken wing which was repaired by putting a wire in it. The other was brought in with an infection serious enough that an eye had to be removed. The second bird was confiscated from someone who was keeping it illegally because they did not have a license to own wild animals, Mills said.

All the animals were about a year old, she said. The hawks had been at the Wildlife Center for about four months, while each fox had been under its care for about nine months.

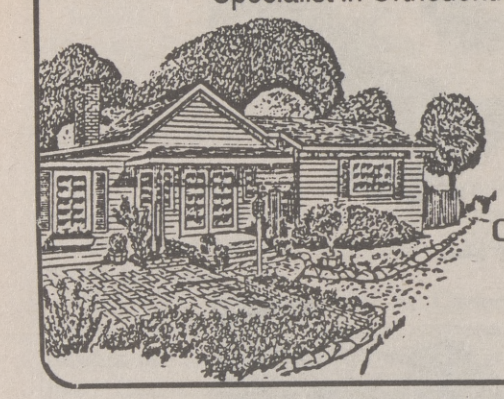
Mills told the *Sun* later it was important for people to know that the fox that were released were California Grays, not the imported red fox which is believed responsible for a decline in the plover population because it eats not only the bird's eggs but their young on the beach.

The release was over in just a few minutes. People applauded. Everybody seemed to feel better for having seen the four creatures returned to freedom in the wild.

Chefs Will Carve Cheese at Highlands

Top California chefs will take part Sunday in the Wisconsin Cheese Carving Challenge, a promotion of the Wisconsin Milk Marketing Board, at Highlands Inn in Carmel Highlands.

The event, which will take place from 9 a.m. to noon in the Surf Room will be judged by Bert Cutino of the Sardine Factory, Monterey, Charles Saunders of Cooking from the Heart, Kenwood, and Allen Hendricks, a nationally known cheese carver. The only local chef among the competitiors is Terrell Watts of Highlands.

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From Ambulance Fund

Red Cross Seeks to Give Away $20,000 in Carmel, Carmel Valley

The Carmel Chapter of the American Red Cross, no longer providing "free" ambulances in the region, said it has $19,998 that was collected for that purpose in the past which it now wants to give away to non-profit agencies serving Carmel and Carmel Valley.

In a statement by chapter Chairman James S. Shillinglaw, the local Red Cross said the money was "donated over many years by individuals and organizations in the Carmel and Carmel Valley areas for the purpose of general support of providing and maintaining ambulance service in those two communities."

The statement said the chapter's board of directors would decide by Aug. 28 how to distribute the money, keeping in mind "the purpose and spirit for which the donations were originally intended."

After providing ambulances in the region for nearly a half century, the local Red Cross stopped in November of 1990 when a new agency, Carmel Regional Ambulance, began serving the area with paramedic staffed ambulances. Paramedics are trained in what is known as advanced life support (ALS).

Before that, basic life support (BLS) on ambulances had been provided by local firemen, many of them volunteers. Their contributions, combined with the Red Cross-provided ambulances, made the Carmel, Carmel Valley, Big Sur region one of the last in the County to switch to paramedic-staffed ambulances and to begin charging victims for emergency service.

The switch to the more highly trained paramedics was mandated by a countywide vote in 1988.

The Carmel Chapter of the Red Cross previously announced it would give nearly $66,000 that had been collected over the years in Big Sur for ambulances to non-profit agencies serving that area of the South Coast. A decision on how the Big Sur fund will be distributed will be made by May 28.

Shillinglaw said the local chapter would consider any proposals submitted by non-profit organizations operating within the chapter's jurisdiction and serving Carmel and Carmel Valley.

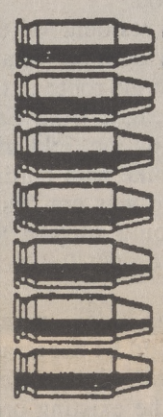
Once a decision on who will get the money is made, the chapter said the funds could be administered by the chapter or transferred to another group having 501 (c) (3) tax exempt status.

Any group wishing to apply for the funds should submit a statement outlining its proposal for the money's use, proof that it has 501 (c) (3) status and a statement of liability insurance for the proposed use to the Carmel chapter by 4 p.m. May 29.

The application also should include a statement of the organization's projected income besides the Red Cross funds and a three-year plan for funding, staffing and accounting for the proposed activity, the Red Cross said. Any group applying for the funds also should provide a copy of its by-laws and a statement of support from the Carmel and Carmel Valley communities.

In addition to considering proposals submitted by other organizations, Shillinglaw said the board of directors would consider any suggested uses for the money that it might generate.

For additional information, Shillinglaw said he could be contacted at 373-7570, or chapter manager Lynette Balesteri was available to answer questions at 624-6921.



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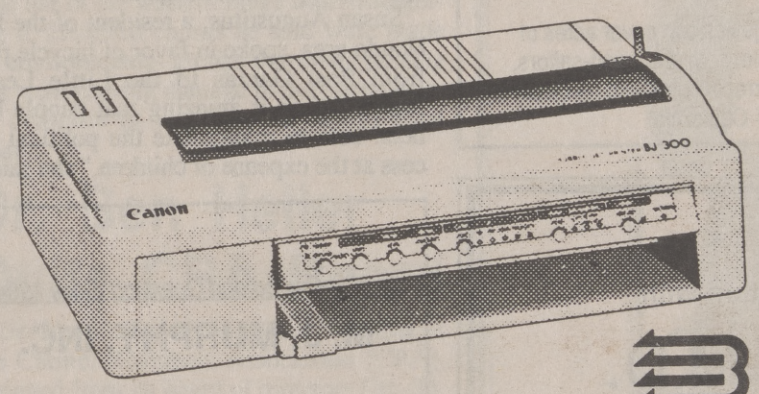
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Some Shown for First Time

Jelly Exhibit Opens at Aquarium

By Carolyn Rice

"Jellies are unlike anything from our terrestrial world. But alien as they seem, they are perfectly at home in the ocean." So states a new Monterey Bay Aquarium exhibit which features 17 jelly species—many being viewed for the first time in an aquarium.

One-and-a-half years in the making, the exhibit opened Sunday. The jellies gracefully float through incredibly blue water. The crystal jellies, about the size of a quarter, drift along almost invisibly. Undulating, rainbow lights look like tiny little neons moving up the sides of comb jellies and sea gooseberries as they float with the current.

Actually, the lights are not lights at all but refracted light bouncing off the moving, hairlike tentacles on the jellies, according to David Powell, director of husbandry, who said the aquarium has worked with jellyfish for four years now. The extensive work by the aquarium husbandry staff has made it possible to rear many of the jellies outside the wild and to create exhibits that can accommodate these fragile animals.

"There is actually very little we know about jellies," said Judy Rand, exhibit developer. "We just get little glimpses of their lives."

Upside-down tropical jellies sun themselves at the bottom of one tank. Golden brown sea nettles, their bodies about the size of an orange with two feet long trailing tentacles open and close their umbrella shaped, see-through bodies. Found abundantly in northern California, the sea nettles shoot quickly by those who peer into their tank.

Music composed especially for the exhibit by John Huling of Pacific Grove brings to mind a soothing trip through space or floating along with ocean currents. The music plays continually as visitors move throughout the darkened exhibit. Three-and-one-half foot wide fiberglass moon jellies hang overhead at the exhibit's entrance.

Senior aquatist Freya Sommer who has been with the aquarium since even before it opened in 1984 has been raising jellies for the exhibit.

Found behind an exhibit vacuuming out a tank holding moon jellies, Sommer said, "It's no surprise they are difficult to keep." Some such as they bell jellies continue to mystify. "We still haven't been able to get them through a life cycle." She said that scientists have not been able to understand the stages of the life cycles for several species of jellies.

Sommer said the exhibit "started out small and got bigger and bigger." She said "any element of the multi-media exhibit is pretty neat." But it has been really exciting to her to see the jellies, the videos, the music and the graphics all come together as a whole.

Sommer studied invertebrates at Hopkins Marine Station but said she learned little about jellies. At the aquarium, she said staffers can use 20 percent of their time working outside their regular area. She was drawn to the moon jellies, and raising jellyfish started "as a little side project."

A jellyfish exhibit was included in The Living Treasures of the Pacific exhibit two years ago, she said. When visitor surveys were done, the jellies rated in the top three along with the sea otters and kelp tanks, she said. "No one ever guessed that would happen."

Julie Packard, executive director at the aquarium, said jellies are among the most common predators in the largest habitat on earth.

They dine as they drift, eating plankton, shrimp, larval fish and other jellies in their ocean homes which covers two-thirds of the earth.

Packard said human activities threaten the oceans. "Global warming, damage to the ozone layer, the impact of wastes people dump in the ocean—these could affect the entire ocean food web including the jellies," she said.

The exhibit will continue through Sept. 7 and is included with the price of admission of $9.75 for adults, $7.25 for students, seniors and active-duty military and $4.50 for children ages 3 to 12.

Jelly Facts

- Jellies have lived and prospered for 650 million years.
- They are a treat to eat for many people. In Japan they're salted and dried for a crispy yet elastic snack.
- Scientists call adult jellies "medusae" after the mythological Medusa, a snake-haired woman who could paralyze humans on sight.
- Arctic jellies can freeze and then revive themselves.
- Some travel up to 3,600 feet daily, the equivalent of a person walking 33 miles.
- When food is scarce some shrink in size so they need less nourishment.
- Out of some 2,000 species, only about 70 are known to sting people. The sting of one, the sea wasp, can kill people within minutes.
- Swarms of jellies can cover acres of water. One variety, by-the-wind-sailors, have been incorrectly identified as oil slicks off the coast of California.



MOON JELLIES are one of 17 species featured in the Monterey Bay Aquarium's newest exhibit. It runs through Sept. 7. *Photo courtest Monterey Bay Aquarium*

Commission Okays Park Use Permit

Continued from front page

was to eliminate the park district's request for a separate trail for bicyclers linking the Robles and Boronda neighborhoods with the Little League field off Paso Hondo. The park staff had sought a separate trail for bikes through that stretch, citing the conflicts that occurred previously when bikes, hikers and horses all shared the same park trails during a testing period.

Reid Woodward, a resident of the Boronda Road area, said opinions "have been sharply polarized" on the route of the bike path to the Little League from East Garza Road. After going on the field trip, he said he agreed that a bike path putting children onto Paso Hondo was not desirable. He also said he would support the park's plan for a separate path for bicyclists.

But Commissioner Gloria Moore, noting the massive work that would be necessary to put in a new bike trail, moved to create a multiple use trail out of the existing one, asking that trails leading off of it be clearly marked to prohibit bike riding.

Jo Stallard was the only one of the eight commissioners who voted against this section of the use permit, saying she was adamantly opposed to bikers and hikers using the same trails.

The use permit was approved on an 8-0 final vote after a hearing that lasted nearly two hours. About a dozen citizens showed up, but only a handful spoke.

Susan Augustitus, a resident of the Paso Hondo area, spoke in favor of bicycle paths from East Garzas to the Little League Field. "I find it amazing that people have been able to manipulate the political process at the expense of children," she said referring to bicycles being banned from the trail in favor of equestrians. "It is reasonable to have a combined trail," she said.

After the hearing, Doc Etienne, an attorney, and Woodward suggested to the *Sun* that they were considering an appeal to the Board of Supervisors to upset the approval. An appeal must be filed within 10 days.

During the hearing, Stallard also asked that signs warning about mountain lions be posted in the park, noting the tour group had seen fresh mountain lion kill during the field trip.

Commissioner Marit Evans asked the park district not to cut any trees without a use permit. In response, General Manager Gary Tate told her the County has ordinances against cutting oaks, redwoods and madronnes.

Evans, however, said she was concerned about destroying wildlife habitat in the County and noted the park had large eucalyptus trees on its property. Tate assured her they would not be cut without a public hearing should the park district board ever consider cutting them.

Commissioner Tom Glau, after the final vote, said, "This whole process has really bothered me." He said the park district should be run by its elected officials, and the use permit approved according to policies set out by the general plan. "We got one hell of a long way from that many times today."

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Swanson Donates Western Painting

Continued from front page

Oklahoma who intended to come to the meeting.

He said the organization is necessary to educate the general public and help cattlemen raise funds to counter what he sees as a too-powerful environmental movement.

"They started out hating big business because it contributed to so much pollution in the country," said Swanson of big, national environmental groups. "I supported them then. But now, they're big businesses themselves—self-perpetuating ones."

Saying that the Nature Conservancy's annual budget is $150 million and the Sierra Club's $50 million, he said, "They need to keep finding new issues to raise more money to keep their operations going."

Swanson has donated one of the large western paintings for which he is known to help raise funds for the new group. Entitled "Stewards of the Range: The American Cattlemen," the painting shows deer and cattle sharing a high pasture. A news release issued by a San Francisco public relations company about the new group said Swanson's paintings typically sell for $30,000 to $60,000.



The painting will go on a tour of western cities until Oct. 29 when a drawing for it will be held at the Grand National Rodeo, Horse & Stock Show in San Francisco. Tickets for the raffle are $100 each, and organizers of the new group hope to raise $50,000 through their sale. Overall, the group hopes to raise $100,000.

Funds raised by the group will go to help rancher Wayne Hage of Tonopah, Nev., in his 14 year legal battle in U. S. Claims Court with the government over water and grazing rights.

Swanson said he decided to get involved because, "If the Hages win their lawsuit, it will set a precedent for fair treatment of ranchers and other landowners for the good of America."

A stronger voice is needed to defend the rights of ranchers and landowners against "takings" by the government without compensation for loss of livelihood, he said.

In the Hage case, Swanson said the U. S. Forest Service denied access to water and severely cut back long-standing grazing rights after Hage wrote a book, "Storm Over Rangelands," which was critical of government land policies.

"There are no cattle on that ranch now," Swanson said, explaining the Forest Service cut off not only access to water but a route between the ranch's high and low grazing ranges. He said 30 armed federal agents took 77 head of Hage's cattle being tended by his 15-year-old son and a single buckaroo and sold them without compensation or proper legal action. Government agencies "believe they can act with impunity. They're the KGB in America."

Swanson said he took the lead in the formation of the new group because he had got to know personally so many ranchers in the west over the years through his paintings and because of his horse raising and training business.

He still trains about a dozen horses a year, although he leaves most of the breaking to younger riders since he broke his back in a fall six years ago. He also still shoes some of his own horses.

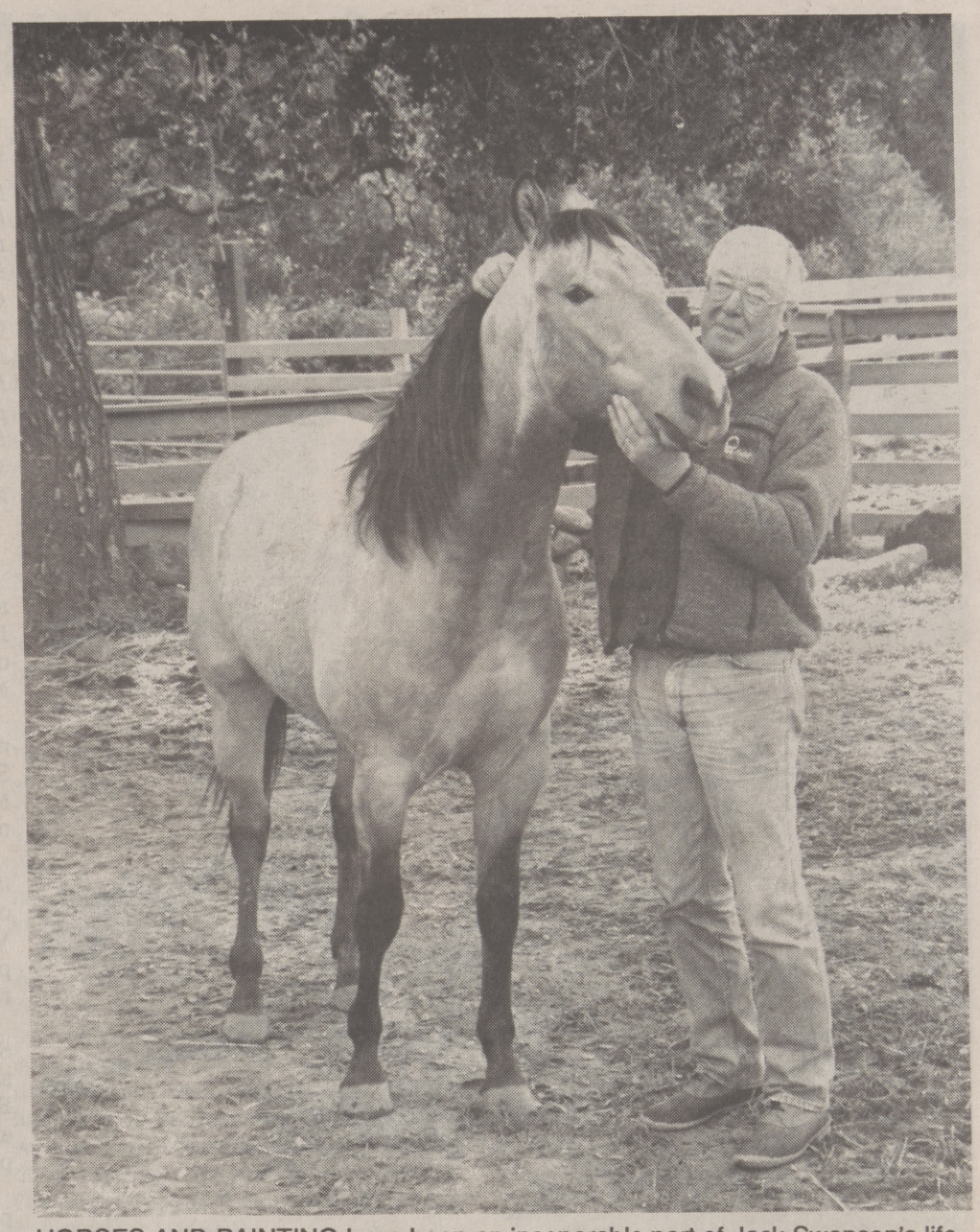
He said he finishes about as many paintings a year as he does horses, selling most of his work out of his studio. He proudly showed it off to a *Sun* reporter.

"For years, I painted out of chicken coops," he said. "Finally, a couple of years ago, I built one like I always wanted." His new studio with its north-facing skylight is surrounded on two sides by a corral where he keeps young horses he is training. A feature of the studio is that it has a large door and an extension of the corral inside. "I can bring a horse in here when I want to do an anatomy study," Swanson said.

Hanging prominently in the studio is a picture of Vaqueros riding over golden, oak-doted hills like those in the Valley in the dry summer months. It is flanked by framed letters from former President Reagan noting that it hung in the White House Oval Office during his two terms. "He said he liked it because it reminded him of his own place," Swanson said.

Defending ranchers as good stewards of the land because it is in their own best economic interests to protect it, Swanson said "ranchers are the real environmentalists," and argued that the western range had never been in better shape.

He said environmental groups were "brainwashing" an unwary public that multiple use of the western range was endangering it. He cited claims he said were made by environmental groups that cows passing gas were causing damage to the ozone layer as evidence of just how far things have gone.



HORSES AND PAINTING have been an inseparable part of Jack Swanson's life. The Carmel Valley artist-horse trainer is shown above with one of the young horses he is presently working with and at left with a painting he has contributed to a new cattlemen's rights group. Swanson will speak to an organizational meeting of the group Sunday at Quail Lodge. *Sun photos by Stan Hall*

Dr. Ben Heller Quits CRA Board

Dr. Ben Heller, an outspoken member of the Carmel Residents Association (CRA), resigned from its board of directors Feb. 24.

In a letter to President Jim Holliday, Heller wrote that he was resigning "with considerable regret, for it has been a privilege and an honor to have participated in an organization, the principal goal of which is the maintenance of the beauty and integrity of Carmel-by-the-Sea as a predominantly residential community."

Holliday said there was no truth to rumors that Heller had resigned as a result of a "jocular remark" he made when Councilman Ken White was introduced at a CRA meeting as "the next mayor."

Director Clayton Anderson, who had introduced White, said, "Everyone was laughing," when Heller quipped, "If he votes the right way."

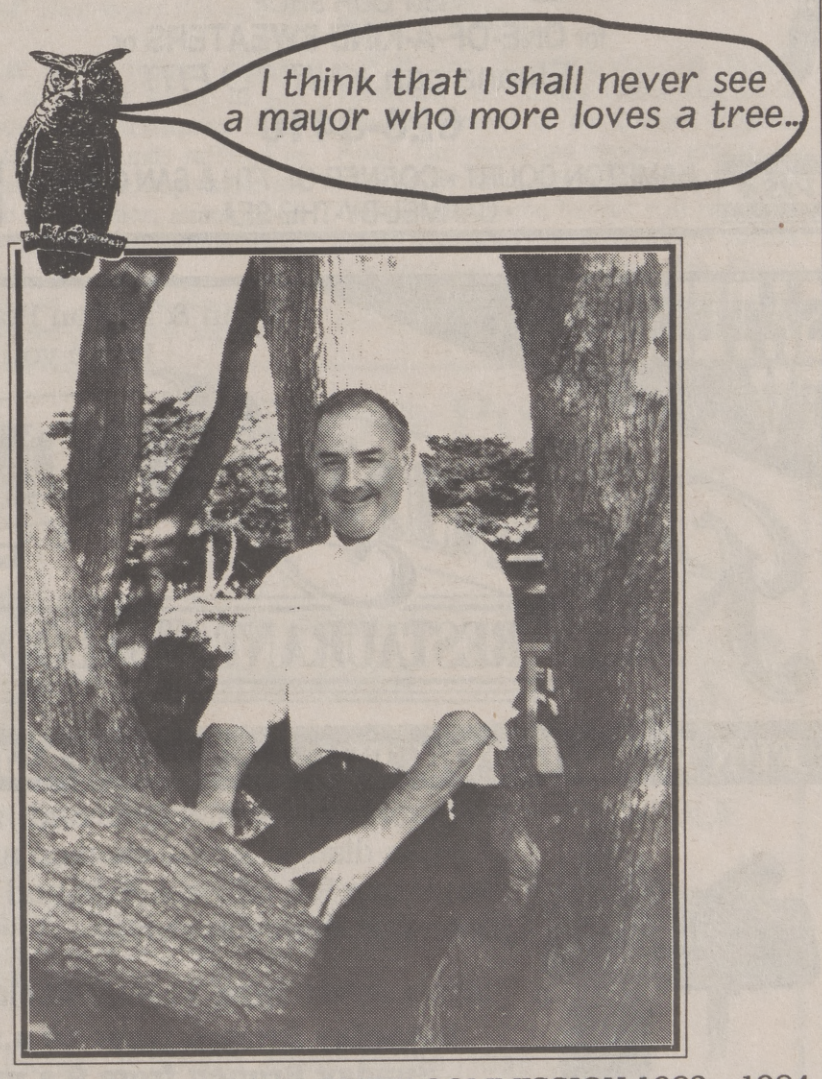
"It was said in a good humored way," Anderson said. Holliday agreed when asked to comment on the rumors which he described as "a gross misrepresentation."

Both men said Heller's wife, Doris, had been ill, and he wanted to spend more time with her. He had been a director of the CRA virtually since its inception six years ago.

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Debate over Cañada Segunda



KASPER HENNEKEN was photographed about 1910 on the back steps of his Seaside home with his wife, Mary, and daughters, Marguerite and Dolores. According to his granddaughter, Iris Harris, Marguerite, who was born Dec. 12, 1895, is still alive. The house pictured has been replaced by a motel, Harris said.

Photos courtesy Iris Harris.

A road to join Monterey and Carmel Valley over Rancho de la Segunda was first proposed almost 100 years ago. Two members of the Board of Supervisors have asked that the proposal be re-examined although it was specifically excluded from the Carmel Valley Master Plan. The Carmel City Council has endorsed the idea as an alternative to the Hatton Canyon Freeway. Iris Harris recently researched the original proposal while looking into the history of her grandfather, Kasper M. Henneken. Her story was provided to the Weekly Sun by the Carmel Valley History Society.

By Iris Harris

Because of a clerical mistake in 1859, and one man's courageous defiance of David Jacks, Carmel Valley almost had a road over the Cañada Segunda and down to Monterey.

It would have begun across from what is now Quail Lodge, ending at a point on the Salinas Highway, on the edge of Hotel Del Monte, a distance of five and two-tenths miles.

Almost everyone at the turn of the century was excited about the possibility of opening up the rich produce of Carmel Valley through an easier route than that provided by the difficult, often tortuous road from the Valley and over Carmel Hill.

The businessmen of Monterey in September, 1900, in a unanimous decision, appointed a committee of 25 to urge the Board of Supervisors to construct the road, and "to stay with them until they get the promise of the road."

In the end, 84 businessmen signed the petition, among them such familiar names as Few, Gunzendorfer, Josselyn, Boronda, Girardin, Hilby, Towle, Duarte, Laporte and Dutra.

That clerical mistake? In 1859, to pay off a debt, Monterey was forced to sell its lands at auction. David Jacks, with a business associate who later withdrew, managed to be the only bidder. He bought a major part of city-owned lands, almost 30,000 acres, for $1,002.50. By mistake an area of 693 and 1/100 acres in the Cañada Segunda was left out of the deed. That area, subsequently labelled "Public Lands," became available for homesteading.

In all, 15 farmers eventually filed homestead claims. Among them was my grandfather, Kasper M. Henneken, Civil War veteran, miner, beeman, and devoted father of nine children.

Henneken's homestead claim of 1887 would soon lead him into confrontation with David Jacks. Jacks had never given up his claim . to the so-called Public Lands, and he was strongly opposed to the proposed road which would have run through his lands, the Aguajito Rancho, adjacent to the Public Lands. Through long years of litigation and other methods, he tried to evict the settlers. In Henneken, however, Jacks found a fearless, intelligent adversary, not to be cowed by the behind-the-scenes methods by which Jacks often got ownership of property he wanted.

The Monterey Cypress reported on Easter Sunday in 1899, someone chopped off a foot of one of Henneken's calves. Other records say shots were fired at Henneken to scare him off. If that was the intent, the attacker did not know his man. Henneken had been one of the thousands of St. Louis, Missouri Germans who fiercely opposed slavery. He took part in the crucial takeover of the Missouri government, thus guaranteeing that the North would control the border states, opening the way for defeat of the South.

Because Henneken knew the St. Louis area, he was used by the Union forces to spy out Southern positions. Wounded in his head, hand, and breast, and overcome by dysentery, Henneken was ordered out of action in 1863. With a price of $3,000 on his head by the South, he fled to California. He would be troubled by disabling headaches the rest of his life.

In 1875 he married Mary Schulte in Vallejo. She was sister to Joe Schulte, Jr., prominent Monterey jeweler and social figure, who, in 1885 married Eloisa Gutierrez, daughter of Mrs. Joaquin Gutierrez, who, who with her husband, built the Gutierrez Adobe at 590 Calle Principal. In 1887, Henneken settled in the Cañada Segunda with his family.

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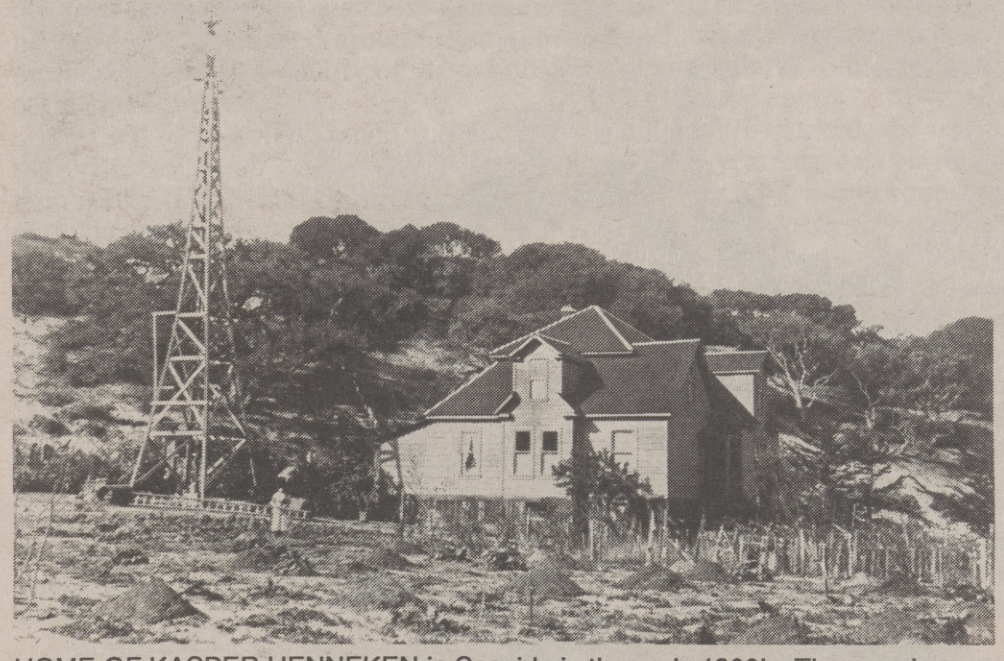
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HOME OF KASPER HENNEKEN in Seaside in the early 1900's. The area is now the site of a motel on the south shore of Robert's Lake.

The 1900 census notes that Henneken, age 56, and other farmers of the Cañada Segunda held their farms free and clear, having filed homestead claims with the United States Land Office.

The Settlers, as the homesteaders were called, and other farmers, among them well-known Carmel Valley property owners, John Berta, Edward Berwick, Louis Wolter, and R. C. Snively, had built a road of one-and-a-half miles up the Cañada Segunda, but the only way they could bring their produce to Monterey and elsewhere in the County was by the rough and often very steep road from the Carmel Valley and equally tortuous Carmel Hill road, an eight to ten-mile round trip by wagon. The Cañada Segunda farmers wanted to complete their road from the Cañada Segunda down the Monterey side to the Salinas way, saving three to four miles round trip.

Two large landowners stood in their way: David Jacks, owner of the Aguajito Rancho, and James Meadows, owner of land on the northern side of the Cañada Segunda.

In April 1896, the County Supervisors had appointed three men, called Viewers, headed by Surveyor Lou G. Hare whose name can still be seen on County maps, and including Robert Johnson and W.S. Ball "to view, locate, survey, and then report upon the laying out of" the proposed Cañada Segunda Road.

The Viewers reported that the road should be built, as it would benefit all of the Carmelo (as the Carmel River was called) above the mouth of the Cañada Segunda, the Cachaugua, Tularcitos, and a vast area lying between the summit of the Coast Mountains and the Carmelo, about 175 square miles.

They calculated that the 66-foot wide road could be completed for $3,295. The Viewers concluded that "the settlers of the Cañada Segunda and farmers of the upper Carmelo agree to build the road themselves without any cost to the County, if the County will but acquire and fence the right of way."

But David Jacks' constant pursuit of his claim to the Public Lands kept the Cañada Segunda Road in limbo, with the Settlers winning a decision in the United States General Land Office in 1897, only to hae it reversed in Jacks' favor in 1898. This was not the end of the struggle, nor did it prevent the Carmel Valley farmers and Monterey businessmen from pursuing their objective for County approval of the road.

On Dec. 8, 1899, Kasper headed a delegation of ranchers, Ed Berwick, C. McGlothien, Tom Bralee, and J. Pinheiro before the Board of Supervisors to present their case for the road, according to a report in the Monterey Cypress.

David Jacks avoided personal confrontation by having his son, Will, speak for him. "My father objects to the road because it costs too much to keep in repair the road that's already there. Besides, the proposed highway will add to the burden of taxation."

Kasper replied, "I have in my pocket a subscription for $1,000. We will meet further expenses and all taxes out of our own pockets." Then Kasper produced his trump card. Pulling a letter out of his pocket, he read, "I agree to give the right of way through my land, the only condition being that the highway shall be properly fenced." It was signed by James Meadows.

Jacks was the only remaining obstacle to the road. With Jacks apparently boxed into a corner of his own making, the farmers and Monterey businessmen were confident that the decision of the Board of Supervisors in January of 1900 would be in their favor. To add to the joy of the Settlers, on Dec. 15, 1899, the Department of the Interior reversed the pro-Jacks 1898 decision of the General Land Office, declaring in favor of the Settlers. Once again, and finally, it seemed, Jacks was defeated in his attempts to evict the Settlers and their plans to build the road.

While all this was going on, the Settlers continued to develop their lands. Life was good for Kasper Henneken. His daughters went to San Carlos School in Monterey, sometimes encountering bears on their walk down from Jacks Peak to school. Their uncle, Joe Schulte, Jr., was active in San Carlos church affairs as well as in the community at large, helping to organize the International Order of Foresters and the Monterey Republicans. Henry, Kasper's eldest son, distinguished himself as a frequent contributor of poetry to the local press. "Historic Monterey and Surroundings" published in 1899 listed Kasper Henneken as one of the outstanding farmers and beemen of the Peninsula, producing four and one-half tons of honey a season.

And then the blow fell. In a final decision, the U. S. Land Department found for Jacks. Jacks had convinced the Land Department to reverse the 1899 decision of the Department of the Interior in favor of the Settlers, through what the Settlers perceived as fraud when Jacks alleged he had constantly improved the lands. As a result, Jacks obtained a patent for the lands in May 1901 which was reported in the Monterey New Era May 15, 1901.

Undaunted, the Settlers took their case to the civil courts, hiring a San Francisco law firm, Denson and Schlesinger.

But time had finally run out. Judge Dorn in the County Superior Court in early June, 1902 (the papers on this case are available to the public on microfilm in the County Courthouse, Lawsuit #3670 and 3671) confirmed the decision of the Land Department, saying, "Its findings ... are final, no matter whether they are justified or not or even if procured by false evidence."

Judge Dorn also cited the Couness Act, enacted by Congress in 1866. According to that Act, if properties had been left out by mistake in a land sale and both buyer and seller thought these properties were included, such an understanding had the same legal force as if the properties were actually recorded, and all subsequent deeds to these properties were invalid. Overnight, Kasper Henneken and the other Settlers were homeless.

The question remains: Would Jacks have been awarded the lands on the basis of the Couness Act alone? Or did the Couness Act require that the lands be occupied and improved? Since it was the U.S. Government which had awarded homestead rights to the Settlers on land that was obviousxly unoccupied, then Jacks had not improved the land since his 1859 purchase.

Finally, was there no statute of limitations then? Why did Jacks wait so long to apply the Couness Act to his claim? Why were the government agencies involved favoring now Jacks, now the Settlers, back and forth, until they decided in favor of Jacks on the basis of his alleged improvement of the land? How would this case be decided today?

Henneken was beside himself. In the bracing climate of Carmel Valley, he had found health, prosperity and purpose. These had not come easily. Wounds suffered in the Civil War had made it impossible for him to continue as a miner, although he would often try to return to mining when his fortunes failed.

These were at an all-time low when with a wife and children to support he worked for the Hearst Ranch in San Simeon for $1 a day as a surveyor. There his sixth child was born. In 1890 he applied for an invalid pension for his Civil War wounds. He was turned down because the Missouri volunteer unit in which he had served had never been mustered into the Union Army. All he had was the house in the Cañada Segunda he had built with his own hands and his determination to provide for his family. And now, he and the other farmers had lost everything.

It preyed deeply on his mind. One October morning, he accosted David Jacks as the latter was about to get into his buggy on Alvarado Street. Brushing Henneken aside, Jacks got into the buggy, but Kasper jumped in beside him, loudly demanding that Jacks deed his Cañada Segunda property to him.

"It is mine. I built it with my own hands. The land is mine! Give me my land!"

Arriving at his destination on Alvarado Street, Jacks jumped out of the buggy, Henneken after him. Jacks shouted for help, "He's going to shoot me! He's going to shoot me!"

An Army captain, who had witnessed the incident, pulled Henneken aside, noting there was no gun in his hand, and then took him into a nearby building, trying to calm down the distraught man. To no avail. Henneken, according to Jacks, wrote a threatening letter. Henneken was arrested and posted bail—and that is the only record of the incident.

The Settlers, defendants in the lawsuit, James Morris, Jose A. Silveria, Jose C. Pinheiro, John Mattos, Daniel Belard, and Kasper M. Henneken, were forced to leave their homes and lands. Other settlers, not involved in the lawsuit, but subject to loss of their lands were Horace S. Snodgrass, Jacob A. Seess, Frank Smith, Matthew C. Ireland, Thomas Launer, J. A. Vasquez, Antonio S. De Aruba, Louis E. Girardin, and Manuel J. Mattos. Henneken already had some property in Seaside at the end of Kimball Avenue, where his apiary was located on what is now Fort Ord. By 1903 he had built a new house for his family in Seaside, on the south side of Roberts Lake, where a motel now stands. He lived to an honorable old age, widely mourned at his death. Noted the Monterey American, "He will be missed."

With the disappearance of Kasper Henneken from Carmel Valley went the organizing genius of the Cañada Segunda Road. The forest and meadow grasses reclaimed the land, but as late as 1950, some foundations of the houses still remained, mute testimony to a vanished dream. Vanished, too, was the dream of the Cañada Road. If it had been realized, would there now be a Hatton Canyon controversy?



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TROWEL & HOE

Geraniums Shouldn't Be Slighted

By Mark Eaton

When we think of German engineering, what comes to mind are magnificent automobiles, wonderful camera lenses and binoculars, super fast bullet-shaped trains—you get the picture. This almost legendary reputation of people in white lab coats, intolerant of mediocrity and bent on perfection probably doesn't make one think of flowers.

There is, however, a German horticultural company where the above does in fact apply. A German geranium enthusiast, Gerhard Fischer of Hillscheid in Germany, founded a company called Pelargonien Fischer, or what we know as Fischer Geraniums. The idea was not only to breed new geraniums but to try to eliminate viruses and bacteria by propagating through tissue culture.

Here in the United States there is a percentage of gardeners, the snobbish ones, who disdain the growing of garden geraniums. They think of these plants as a coarse lot, growing weedily in vacant plots on the poor side of town. They would never allow these plants to disgrace their precious, authentic "English style" border. Boy, are these folks missing the boat! There's nothing more reliable than good old garden geraniums. The newer Fischer varieties are simply the state of the art.

We should probably backtrack and identify precisely what we're talking about. A true geranium, botanically, is a woodland perennial of which there are hundreds of varieties that produce a mass of white or pink or blue flowers in spring and summer with a low-spreading mound of foliage. The genus *Pelargonium*, on the other hand is a member of the geranium family, or *Geraniacreae*. There is *Pelargonium hortorum*, the garden or zonal geranium. There is *Pelargonium peltatum*, the ivy or hanging geranium. There is *Pelargonium domesticum*, variously known as a Martha Washington, Regal geranium, Pelargonium, or in nurseryman lingo, "Pel." There are other Pelargoniums; scented types, bi-generic crosses and so on. At Fischer they grow zonals, ivies and pels. So yes, the snob gardener we mentioned earlier would probably not appreciate what these people have accomplished.

For our purposes we will refer to any member of the genus *Pelargonium* and species *hortorum* as a "geranium," just like we do at the nursery. Let's take a look at the different steps Fischer goes through in developing a new variety. Bear in mind that some old varieties of geranium have been stuck by viral and bacterial diseases which over a period of generations has shrunk their vigor.

The Fischer process:

1. Clone selection—meristem tips (a piece of the growing tip of the plant that is used to create tissue culture) are taken from plant material proven to be genetically stable through many generations.

2. Heat treatment—selected plants are held over four weeks at 97 degrees Farenheit to reduce virus multiplication in the shoot tips. These will be placed in sterile media in test tubes.

3. Meristem culture—assures that the heat treated growth tips remain virus and bacteria-free.

4. Selection for genetic stability—Meristem culture may cause mutations. Extra selections are made to keep varieties true-to-type.

5. Virus and bacteria indexing—It is necessary to perform several tests to detect the presence of disease.

6. Sales Stock—If the young plants pass all the tests, they are called nucleus stock and will be propagated in the sales stock.

7. Annual renewing—each year the cycle will be started again to maintain the high standards.

I didn't mean to dazzle you with science, but hybridizing plants in the modern world has advanced well beyond sticking a bunch of seedlings in a flat and waiting to see what will happen. This is all done so that when you barbecue on your patio this summer, those pots of geraniums will look good all the time and with very little effort. Now the Germans don't have an exclusive on this sort of thing. There are some American growers that are seriously catching up, but Fischer is the original. Look for the tag with the name of the plant on it and the company's logo, a geranium peeking out from underneath a black rectangle and the words "Pelfi by Fischer."

Mark Eaton is a partner in Carmel Valley's Begonia Gardens Nursery.



SCHÖNE HELENA is a salmon-colored geranium suitable for universal use.

Rummage Sale Planned March 27-28

The Women's Association of the Community Church of the Monterey Peninsula will host its annual rummage sale at the church on Carmel Valley Road one mile east of Highway 1 on March 28. The sale of clothing, furniture, hosuehold goods, toys, books bric-a-brac, jewelry and collectibles will be held from10 to 4 p.m. March 27 and from10 to 3 on March 28.

Rains Leave Aquifer Nearly Full

Continued from front page

In Monterey as of Monday, Renard said he had measured 16.53 inches, compared to median rainfall of 16.42 inches.

The latest storms to rake the area dropped 2.26 inches on Monterey and, in the Village Matthews recorded a total of 1.75 inches between March 5 and 9. Relatively speaking, the rains were not as heavy in the higher reaches of the watershed as in lower elevations, contrary to more typical patterns. "The rainfall is very local," Matthews said.

At the water management district, Fuerst said he considers the area still is dry based on a definition that focuses on streamflow in the Carmel River at San Clemente Dam.

While the soil is saturated and the Carmel River aquifer is expected to be full by the end of the rainy season, Fuerst said his definition based on the hydrology of the river reflects the cumulative effects of drought over the past five years.

Since this year follows what was defined as a critically dry year, streamflow in the river must reach at least 50,600-acre-feet to take the region completely out of the drought, said Fuerst. He said measurements indicate unimpaired streamflow at San Clemente dam so far this year has been about 23,000-acre-feet and at least 10,000-acre-feet more is expected by the end of the rainy season. But that still would leave the watershed in a "dry" condition, according to Fuerst's hydrology definition.

"Droughts don't have clear beginnings and ends," Fuerst said, defending his definition. "They're a creeping phenomena."

Still, he said that the Carmel River dams and aquifers already have more water in storage than they had at the end of the rainy season last April. "We've got the most water in storage in six years," he said. He added that the entire storage system, the Carmel River as well as the Seaside Basin, "might be full by May or June." At capacity, the system holds 35,700-acre-feet, he said.

Fuerst suggested that Carmel River steelhead may have suffered the most in the drought. "We've had no adults (returning from the ocean) to reproduce for four years," he said.

So far this year, he said four adult fish had been counted in a fish ladder at Los Padres dam, but he said the counting system was more or less hit-and-miss.

Median Vs. Average

Meteorologist Robert Renard said weathermen use median rainfall values to determine droughts because it is a more stable number than average rainfall.

Median simply means that half of all the years in the reporting period are above a certain point and half are below.

In Carmel Valley Village, for instance, weather records now span 34 years, and with 17 above and 17 below, the median turns out to be 15.26. By comparison, the 34-year average rain in the Village is 17.58 inches.

Renard explained that years with unusually heavy rainfall, such as the record 36.13 inches recorded in the Village in 1982-1983, drive average numbers up, but that only about one-third of the years are above average and two-thirds below.

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OUT AND ABOUT

By Isabelle Hall

I was going to write about how irked I am at the way the television stations we receive have just arbitrarily changed around their schedules, diminishing the availability of the national newscasts in the process.

We used to be able to come at night and watch the NBC news, an hour of McNeil-Leher, and then ABC. (I'm afraid Dan Rather lost me years ago when we were all in Washington but sometimes I do like to watch CBS with Bob Sheaffer, who once was a fellow Justice Department reporter, a thoroughly nice man whom I trust.)

Since the owners of California television stations decided that people in this part of the country could, or should, go to bed earlier so they can keep up with the East, we now can watch either ABC, NBC or CBS only at 5:30 p.m., and that's it for the national networks. Instead of news, we do have the opportunity to watch two versions of Jeopardy and Wheel of Fortune.

Admittedly we are news junkies. Admittedly, the national news broadcasts today are about 75 percent, maybe higher, pure entertainment. That's why you have to watch all three to find out what really went on that day until you can determine for yourself in the newspaper the next morning. I get my daily news fix from the New York Times which even does a pretty good job covering California.

That's what I was going to write about because it makes me mad to be so restricted in what is available on television. Does one station really have the right to black out programming because of an overlap?

How would you like it if your reading was restricted the same way as your viewing? Olof Dahlstrand told the Carmel City Council last week it was getting too close to "Big Brotherism." It is something we must be on guard against from government, and it seems from the private sector as well.

Instead of writing about these restrictions, however, I wanted to say a few words at what I hope is the final passing of United Press International which it seems will finally be laid to rest if a federal judge has his way.

Stan and I had lunch the other day with Roger Tatarian, who was managing editor of UPI in New York when we both worked there (at different times) in the 1960's. He is a man we both greatly admire. He was an inspiration. Working for UPI then was just about the best job in the world in my opinion.

I thought I was the luckiest guy around when I was first hired in Toronto just out of college. It was United Press then, actually British United Press in Canada, with all the high adventure and romance that the wire services had in those days.

We worked, ate and slept news. No $3 million-a-year baseball player was ever as competitive as we $100-a-week reporters at what became United Press International in 1956 when UP merged with International News Service (INS).

For a period, UPI was a sensational news service. I was proud to be a part of it. I even turned down a good job, with considerably more money, at the Washington Post to stay with UPI. And getting a job offer from the Post or the New York Times then, as now, was incredibly flattering.

I thought hard about it but somehow I just couldn't imagine how any newspaper could be as exciting as a wire service where we literally had "a deadline every minute" somewhere in the world.

In Stan's mind, UPI started to go downhill when Tatarian left because of health problems. Certainly it was no longer the fun it had been by 1972 when we both decided to move on.

Over the years since then, we have heard terrible stories of the company being sold to this or that outfit, our old friends being fired on the spot after years of service in cutback after cutback. There are not enough people any more to call it a news service, and yet it has hung on. We all have felt it should have been put out of its misery, as Roger said, years ago.

He feels a personal regret that a whole generation of young people grew up unaware of that once great news service.

My regret is the loss of competition. UPI's great competitor was always Associated Press (AP). How we loved it when one UPI reporter would beat the pants off a whole passel of AP types. And, it happened a lot in those days. UPI kept AP on its toes. We tracked each others' news beats daily. It was good for both of us. More importantly, it was good for the public which has an overwhelming right to know.

Now, AP has grown old and stodgy with no competition to keep it sharp. I guess you are born competitive, but UPI honed those skills. I just hate to miss out on one little scrap of news. Stan and I enjoy our scoops at the *Sun* almost as much as when we had national scoops at UPI.

The loss of competition must be afflicting more than just news services. I just read that those three national networks, whom I can no longer watch to compare product, don't cover half the news themselves any more any way. Two new London-based agencies, described as "fiercely competitive," are covering the wars and famines of the world today supplying their film to ABC, NBC and CBS because their budgets don't allow them to do it themselves any more. I suspect the reason is that the bulk of the network budgets go for entertainment, not news.

I bet the people who work for WTN and VISNEWS, the two overseas news film outfits, are having fun actually covering the news, a lot more than the news "readers" back here who more and more are reduced to narrator status.

To bring all this into some kind of local perspective, I want to note that the demise of competitive news does not reflect lack of reader interest, at least not in the Carmel area. We have never lived anywhere where people were so hungry and so grateful for news.

The most heart-warming part of owning the *Sun* is the reception of the readers. The paper is hardly on the street when the phone starts ringing. Often it is to thank us for writing a particular story. Sometimes it is to complain, and that's okay, too. The main thing is that the people have appreciated getting the chance to read about what is going on.

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BRUSHSTROKES

By Anita DeCarlo

Japanese Prints Donated to the Museum

The recent donation of the Robert F. Ford collection of Japanese prints to our Monterey Peninsula Museum of Art is a splendid one. How can a museum of any importance not have a collection of Eastern art? I think Japanese prints are the single most influential instrument in the progress of Western art. They continue to shape our aesthetic vision today, and I dare say will forever.

When Commodore Matthew Perry opened commerce with Japan in 1854 a wave of Japanese artifacts reached a Europe that was truly ready for it. The industrial revolution had made for a more sophisticated populace politically, socially and artistically. Decorative bronzes, porcelains and lacquered goods were the most popular imports at first. These were functional goods, always the first to be appreciated. Woodcut prints were the special province of the avant-garde.

After the fall of the shogunate in 1867, Japan took a pavilion at the Paris Universal Exposition giving Europe its first formal exhibition of Japanese art. They were Japanese genre art, or Ukiyo-e, and although the 100 prints exhibited were created by the best artists in Japan at the time, they were truly the tail end of an artistic era in Japan that had begun in the 16th century.

But to the artist in France they were magnificent revelations, not just about Japanese life, but of a new way of seeing and organizing the visual world. All the prints sold, and subsequent arrivals were gathered up by avid collectors and artists alike—Manet, Monet, Gauguin, Van Gogh! It was Van Gogh who said, "Whatever one says, even the most vulgar Japanese sheets colored in flat tones are, for the same reason, as admirable as Rubens and Veronese."

Those who loved these "new" Japanese prints were hungry for more and in their searches were to discover the truly fine older masters, including the greatest, I believe, of them all—Hokusai. Felix Bracquemond, a Parisian etcher discovered a volume of Hokusai's sketches in the shop of his printer who, in turn, had discovered this priceless book used as packing material in a shipment of teacups. Fortunately he had had the wherewithal to throw out the tea cups and keep the packing material!

Hokusai's volume of sketches became a treasure house for every artist from Manet to Van Gogh. Those who knew, truly knew. The rest wrapped teacups in them. But as usually happens with the discoveries of the artistic and literary circles, the "find" becomes "fashionable" and any and all Japanese prints were wildly collected.

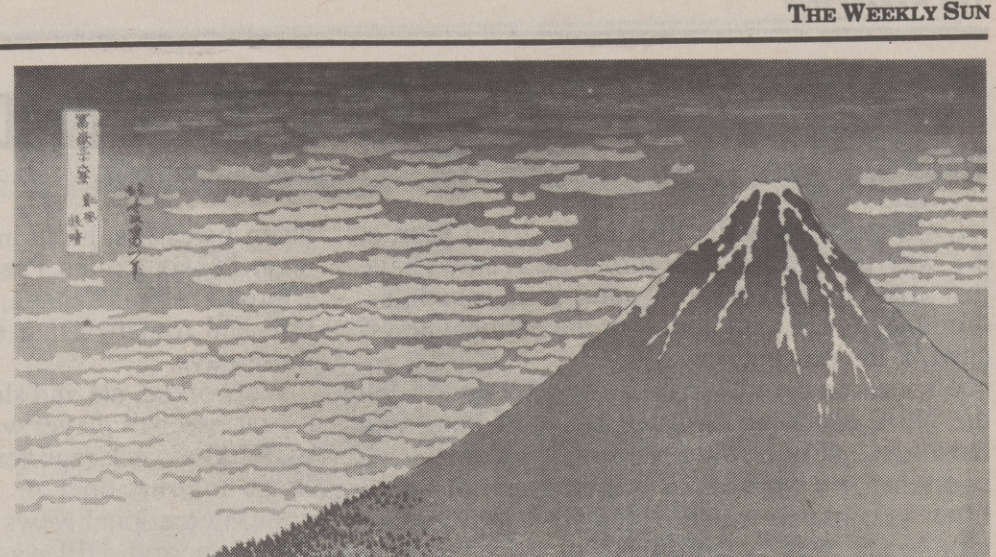
Toward the end of the century the Japanese mania passed at last and it returned to the realm of the expert and scholar. Collectors became connoisseurs. Concentration was on the best and the best became quite scarce. But it was the best of the best, Hokusai, Hiroshige, Utamaro, Harunobu, and Kiyonaga who were to influence the impressionists and to change the course of western art.

I think it must have been love at first sight. Worlds apart, the aims of the impressionists and the Ukiyo-e artists were much the same. Just as the impressionists were rebelling against the stuck-up pomp and decadence of the French Academy with its emphasis on aristocracy, so had the Japanese printmakers hundreds of years before. They had rejected the age old subjects and founded the Ukiyo-e or floating world in which the central doctrines were "...the pleasures of the moon, snow, the cherry blossoms and the maple leaves, singing songs, drinking wine...and floating..." a celebration of ordinary scenes and events.

But it wasn't just the democratic subject matter that inspired our impressionists. Because the invention of the camera had freed artist from the function of duplication, they were concerned with the painting existing in its own right. The blatant flatness of the Japanese print reinforced and inspired the impressionists direction.

Manet was the first to absorb the decorative flatness of Japanese prints. Degas picked up on the unstudied poses—his candid people, ballerinas, milliners, for example were given permission to be by the Japanese prints.

Think of the marvelous organization of negative and positive space, of patterned area and rest that permeate Toulouse Lautrec's work and that of Gaugin, Van Gogh, Whistler, Monet and later Matisse, Bonnard and Vuillard! Even the Expressionists responded to the powerful organization of the Japanese print.



"FUJI IN CLEAR WEATHER" is a Japanese print by Katushika Hokusai in the British Museum in London. It was done about 1823-1829.

The collection of the museum is quite small and predominantly Hiroshige prints. There is one magnificent Hokusai. Once you see them you will begin to recognize the influence on our familiar Western artists, but I hope will also look upon them with the kind of thrill and excitement that they first looked at them.

They are jewels of perfection, perfect color, perfect in composition.

Maybe Hokusai and his cohorts were opening new doors in their art world but they were using skills mastered over centuries in the art of cutting wood and they created their new democratic scenes within the age old precepts of their civilization, a mixture of Shintoism and Buddhism and Taoism. Theirs is an affinity for harmony and balance and beauty that is unique to their comprehension of their place in the universe. The West can learn from it but not copy. Western art is still Western art, and the absorption of the East has expanded its potential without losing identity.

Each semester I pass on to my students a lesson in humility from Hokusai. On his deathbed he begged for just another ten years, even five—for then he said he might learn to really be an artist. And, he is the master who has taught us all, indirectly. It is such a comfort.

Ferlito Named to Head Forest Group

Karen Ferlito was elected president of Friends of Carmel Forest, an offiical city support group, succeeding Barbara Livingston who stepped down to run for City Council.

Marcia Kuster Rider was elected vice-president, succeeding Ferlito. Also named at the directors meeting Monday at Sunset Center were Steve Brooks as treasurer and Stephen Gann as a director.

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DISCOVERY– THE LIVELY ARTS

BY BARBARA ROSE SHULER

This past weekend, Carmel's Sunset Center housed two top-notch performances. It seems Performance Carmel has genuinely hit its stride with the dance company Pilobolus, and the Carmel Music Society scored another hit also with world-class baritone Jorma Hynninen.

Let's begin with Pilobolus. These performers are considered to be a major American force in the world of dance. They have an international reputation and an enormously popular repertoire. The 1992 season marks the 21st anniversary of Pilobolus Dance Theatre. Five artistic directors and six dancers create the programs in what is described as a "deeply committed collaborative effort."

Intensity, freshness, surprise and power are words that come to mind while watching Pilobolus perform. They seem to push the envelope of the possible at times. The stunning images they create with their bodies happen so fast and concisely that the audience must work to absorb it all.

Pilobolus is a company for people who don't like modern dance and a must-see for those who do. Their style might be called 20th Century classic. They dance contemporary motifs with such refinement and force that they pop into a place of universal appeal. We aren't used to seeing bodies express the way they do. Yet somehow the choreography, the extraordinary execution seems just right.

"Particle Zoo," the opening number, is a delightful example. Adam Battlestein, Kent Lindemer, John-Mario and Sebastian Smeureanu become a bubbling brew of subatomic matter. They manage to convey, in a dazzling display of disciplined bodies in action, a satisfying sense of the nature of quantum world.

Jude Woodcock, easily the most powerful performer in the troupe, turns "Moonblind" into a spellbinder. She weaves intricate patterns with her body, verging on the impossible. She sustains an impeccable tension during this eerie dance under the moonlight which doesn't break even during moments of humor.

She's fresh, fascinating and physically spectacular in the dance. Woodcock appeared in an intriguing work after that, not listed on the program—and I didn't catch the name—in which she portrayed a strange dream creature that interrupts a man's sleep. Again in fascinating choreography, she glides across the stage seeming to attach herself to the drowsy man like some fairy thing not really made of flesh at all.

"Walkyndon" featured the four gentlemen once more for a vigorous, acrobatic display that wowed the eyes with variations on a walking theme. Finally, "Day Two" brought the entire company to the stage in a dance extravaganza about evolution.

Performance Carmel was standing room only and turning people away at the door for Pilobolus last Saturday. People were looking for tickets in the refreshment room and outside among the newcomers. There is no question that local audiences are indeed hungry for this kind of contemporary performance. Cultural Director Brian Donoghue's instincts are good and he has added a vibrant new facet to Carmel's proud artistic tradition.

Last Week I reviewed Tandy Beal's newest version of "Outside Blake's Window," a dance performance that I also enjoyed. She will be appearing in Carmel courtesy of Performance Carmel Saturday, March 25, at 8:00 and on Sunday, the 26th, at 2:00 p.m.

Better call for tickets now for Spaulding Gray's "Monster in a Box" April 4th. They are sure to go at least as rapidly as those for Pilobolus. And hang on to your hats, season two of Performance Carmel is shaping up to be another smashing success.

Jorma Hynninen, one of Finland's greatest artists, sang a splendid concert of songs by Finish composer Yrjo Kilpinen, Schumann and Sibelius. His powerful voice of many hues wooed the Carmel Music Society audience gently at first, building to a passionate, explosive finale with the Sibelius songs.

He was accompanied by the noted and excellent pianist Armen Guzelemian. It was interesting to observe that while Hynninen exhibited a hint of fatigue, he seemed to give all he had to the performance, a refreshing contrast to Itzhak Perlman last month who didn't seem interested in giving his best to a Carmel audience.

The 1992 season is revving up. There'll be plenty to choose from for a while. I'll continue select performances to review for this column which seem to me to hold the most promise for enjoyable entertainment. On Friday, I recommend attending Pulitzer Prize winning poet Galway Kinnel's reading at Carpenter Hall at Sunset Center at 8:00 p. m. Poetry readings usually come as single performances. You may remember my praise of Kinnel last year. He didn't get the Pulitzer Prize for nothing. Catch him while he's here!

Neighbors Rummage Sale Saturday

The Northeast Carmel Neighbors Association will hold its third annual rummage sale Saturday from 9 to 3 p.m. in the Lumberyard Room at Vista Lobos Park, Torres and Third Avenue.



HIDDEN VALLEY'S "FRIDAYS AT 8" series will ring with the sounds of Los Angeles Friday when the unique Freeway Philharmonic performs. The quartet is described as a cross between classical music, pop music and jazz and the only viola, chapman stick, guitar,drumcussion band in the universe.

Fuel Contamination Discovered at Mid Valley

Work crews began digging and drilling at Mid Valley Fire Station this week, seeking to determine the extent of contamination caused by leaks from underground fuel tanks.

Two 500-gallon tanks, one for gasoline and one for diesel, have been removed and will not be replaced, said Chief Gary Carmichael, explaining that the department will buy its fuel from commercial outlets in the future.

The tanks had been buried off the northwest corner of the station since 1976, he said, and the problem was discovered during required annual tests. The diesel tank failed the test, but whether leaks also occurred from the gasoline tank can not be determined until the work is done.

Aqua Drilling Co.of San Francisco, hired on the basis of its low bid, has drilled three test wells so far, finding a slight amount of contamination in a well about 20-30 feet southwest of where the tanks were located.

No contamination has been detected off of the fire station property, Carmichael said. How far it travelled will likely depend on underground water flows. The head of the Aqua Drilling crew said the wells struck water at about 11 feet, and Carmichael noted the water table was higher than normal because of recent heavy rains.

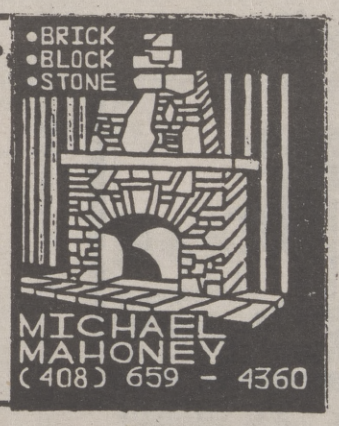
Asked how much the job might cost, Carmichael shrugged. He said about $15,000 had been spent so far, but he wouldn't know the total cost until the work was completed. "I've heard horror stories of such cases costing as much as $350,000," he said.

The chief said he decided not to replace the underground tanks after learning that new pollution-control requirements would require even the fire department to include vapor recovery systems in the near future to reduce hydrocarbon emissions which contribute to smog. He indicated the cost and inconvenience of that equipment persuaded him to give up having his own fuel storage.

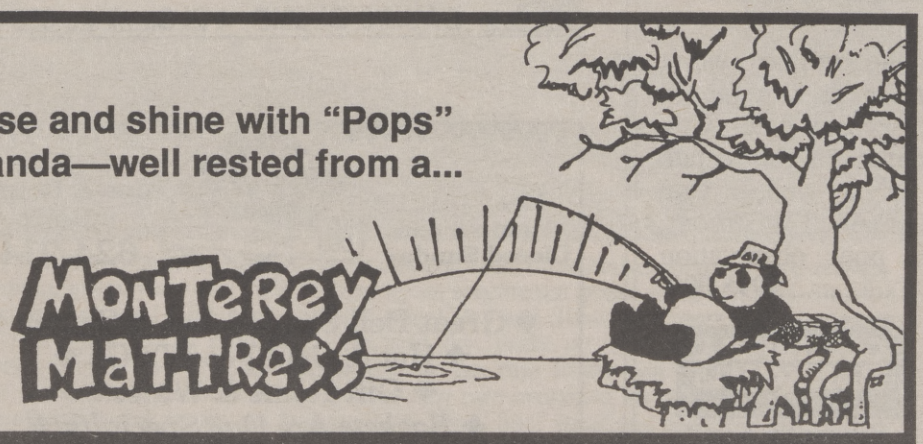
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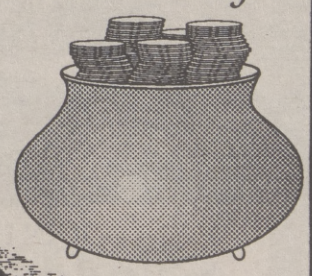
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MORE LETTERS

Mapstead Not Unbending or Difficult

Noel Mapstead has organized two public forums attended by hundreds of peninsula residents, at which a mayor, a county supervisor, an assemblyman and numerous legal and scientific experts on all sides of the question have spoken. He has led over 1,400 people on hikes, attended hundreds of County, City and statewide meetings, composed the official 68-page response to the Caltrans FEIS on the Highway 1 Improvement Project, made several lobbying trips to Washington, D.C., and serves as Western States wetlands chair, all volunteer efforts on behalf of, and endorsed by, the Sierra Club.

In recognition of this work and his vision for the future, he was elected by the membership—not the case for the person you quoted, by the way (*Sun*, March 5)—to the executive committee of the Ventana Chapter and chosen to be secretary. Does this speak of a person of unbending nature, who cannot work with others? In deference to the hundreds of people who cast their vote, and in all fairness, should he not have been contacted for your article, so that he could express his views? I hope your readers will be able to see for themselves what you and the people you interviewed chose to leave out of your article and "consider the source."

Diana Mapstead
Carmel

The Sun unsuccessfully tried to reach Mapstead for his views on the election.—The Ed.

Chicago Politics Tactics in Carmel?

Carmelites are too intelligent and sophisticated to fall for the big money tactics being used in the local political scene.

First, we had the three slick, biased Voice of Carmel surveys. It is estimated that each issue cost between $3,000 and $5,000 for printing and mailing. Now Carmel's citizens have been subjected to a professional telephone survey by an L.A. public relations company (also with biased questions, specifically the one on zoning) which probably cost in the neighborhood of $20,000 to conduct.

The telephone operators hired to conduct the survey will not reveal who paid for the survey. However, this "Cal Western Poll" was conducted by the same Los Angeles firm that was hired by Clint Eastwood to do the $20,000 survey he ran to test the waters before he filed for mayor in 1986.

What is the big worry about the coming City Council election? What is to be gained or lost that is worth this much money? Rezoning of the Central Commercial zone perhaps?

Which candidates or political action group will benefit from the sophisticated information developed by this poll?

Fortunately, Carmelites have not and will not fall for these big-city tactics. Remember the 1989 water board race when Billy DeBerry, backed by big development/commercial money, far outspent his opposition, smothering us with costly, slick professional literature? Remember the outcome? He was overwhelmingly defeated by rational voters who are intelligent and sophisticated enough to understand which values are important.

Marcia Kuster Rider
Carmel

"Voice" Disrupts Democracy

The Voice of Carmel is being disruptive of the democratic process. This privately financed, privately controlled opinion survey seeks to undermine public confidence in the city's elected officials.

Someone, not known to the public, prepares the Voice's list of questions. As everyone in this age of polls knows, responses can be influenced or even directed by the way the questions are asked. Next, someone, not known to the public, pays the Voice's substantial printing and postage costs. And when the cards come back, someone, not known to the public, counts the yeas and nays.

Recent results were presented by a Voice spokesman at a meeting of City Council. The mayor and council members, all elected officials, were told they were out of touch with the views of their own constituents. "This indicates to us," said the spokesman, "that a 'no confidence' situation is approaching."

The City Council by statute has its own means of hearing regularly from the public. It occurs at meetings under "Public Hearings" and "Appearances," when anyone wishing to address the City Council may do so. Where, then, were the Voice's 843 claimed objectors to the Hatton suit, the 933 to mini-parks, the 891 to Rio Park improvement, etc.?

For 200 years, the people have made their views unequivocally known to their elected officials in elections. Carmel is having one now. The Voice of Carmel should think again about meddling with the right of the people to speak where it counts. At the ballot box.

Howard Skidmore
Carmel

Clint Defends "Voice"

It is hard to understand why some council members are being so defensive about The Voice of Carmel polls. However, I guess it is human nature to only put credence in poll results that coincide with your views.

Many of The Voice of Carmel members do not take a position with all the views or items of the polls. For instance, I have a problem with the Hatton Canyon Freeway as it is now being proposed by Caltrans, although I do favor a solution, as I believe most people do. Maybe that's why the poll came back with a positive vote.

It also amazes me that the same people against The Voice of Carmel polls were very enthusiastic about the postcard polls I took while in office as long as the results were in line with their views.

Anyway, The Voice of Carmel is sticking to its information gathering procedure as a service to the whole community.

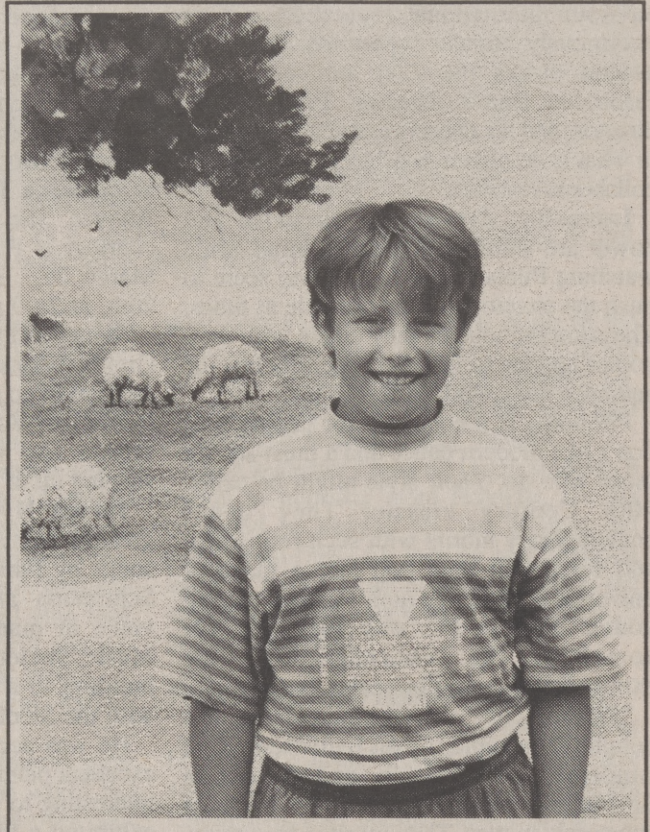
Clint Eastwood
Carmel

Get it off your chest! Share it with your neighbors! Write to *The Weekly Sun*, P. O. Box 931, Carmel Valley, CA 93924-0931. Include your name, address and telephone number, and keep it as short as you can. Everybody likes to read interesting, provocative letters to the editor.

Likes New Mini-Parks

On my recent walks in Carmel, I've noticed several new "mini-parks" throughout the City. I would like to compliment and thank the City administration on this wonderful idea. The two at Lincoln and 11th Avenue have turned ordinary city streets into "Village Lanes." To me, this is an excellent example of why Carmel is truly unique among cities. In addition, it's a great way to add to our pine population. I applaud this effort and foresight. Please continue.

Roy C. Gustaveson
Carmel



Noseworthy Top Speller

Justin Noseworthy, a fifth grader at Carmel River School, spelled the word "occasionally" correctly and won the Lyceum of Monterey County Spelling Bee Saturday.

"I was very nervous," said the 10 year-old student. He said one competitor got knocked out with "larceny" which he would have had a hard time spelling, too. But he was able to spell "pantomime," the word which downed second place Matt Hural from La Mesa.

Noseworthy, the son of Fred and Michelle Noseworthy of Mid Valley, said he would like to be a pro baseball player or an elementary teacher when he grows up.

He thinks good spelling is still necessary for an educated person even with spell checking devices on most computers today. He studied about and hour and one-half to prepare for the contest.

"Not to brag or anything but I am a good speller at school," he allowed. The students started the competition with a list of words they could look at and then progressed to another list they had never seen prior to the contest.

River School also had the champion speller last year when fifth grader Erica Brewer won the competition for fourth and fifth graders from Peninsula public and private schools.

Setting It Straight

In its March 5 edition, the *Sun* reported that an employee discovered a fire which damaged the Honeymoon Cottage at Robles Del Rio. Owner Glen Gurries said it was initially discovered by a neighbor, Richard Kostkas.

SILVER JONES
RESTAURANT

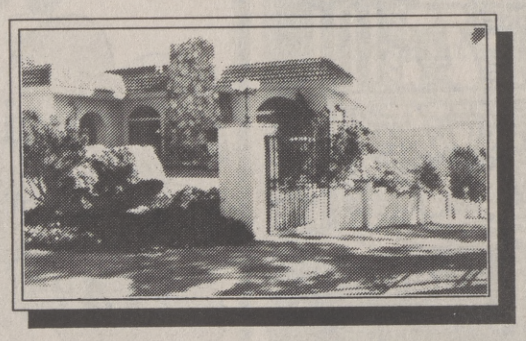


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HOME SALES

The following property sales were recorded in the office of the Monterey County Recorder from Feb. 15 through Feb. 29, 1992.The information is taken from records available to the public. Sale prices are estimated on the basis of transfer tax paid to the county.

The *Sun* makes every effort to report these sales accurately, but anyone should consult a Realtor or other investment professional before taking action based on this information.

CARMEL

SANTA FE ST. Robert M. & Helen S. Rodden to Robert P. & Ann M. Nelson Jr., $480,000.

142 CARMEL RIVIERA DR. Steven G. & Brenda L. Baptista to J. J. & H. Violini Co., $800,000.

26162 LADERA DR. James G. & Shirley A. Tierney to Edward G. & Nancy Jordan, $1,140,000.

HWY 1 Monterey Peninsula Artists to Dan & Ellen Weiner, $517,000.

2ND N. CARMELO AVE. NR 4TH Sergio J. & Karen Nibbi to Mark & Katherine Strem, $19,500.

CARMEL VALLEY

390 W. CARMEL VALLEY RD. John C. & Michelle A. Schrup to Jack Schwadron, $545,000.

16 SCARLETT RD. Carolyne M. West to Cheryl A. Heyermann, $84,000.

PEBBLE BEACH

4067 MORA LN. Donald R. & Susan M. Britton to Hung Ba & Anh Le, $562,000.

4103 PINE MEADOWS WY. Markus A. & Carol M. Goldberg to Michael L. & Melinda Chandler, $565,000.

Political Candidates Address Realtors

The Carmel Board of Realtors invited Carmel City Council and mayoral candidates to speak before its regular monthly meeting March 11 but did not invite the press.

President Norma D'Isidorio said the monthly session was "a business meeting for the membership and to have the candidates appear." She said the press never had been invited to such sessions.

The press was urged to cover the monthly meeting last year, however, when opposing sides in the fight over the floor area ratio (FAR) election in Carmel was in progress. It also was urged to cover a meeting when Tom Oliver, president of Pebble Beach Co., talked about the company's plans.

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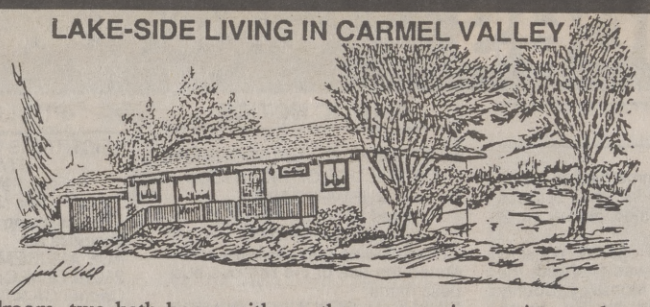
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Padre Girls' Cinderella Season Nets First CCS Championship

Continued from front page

record was 22-6.

Using a full-court press throughout the game, Napa held off a Padre comeback effort after that run. Behind by eight points, Carmel fought its way back to 42-41, but could never quite overtake the Braves again.

Carmel's Erica Murray scored 15 points for high point honors despite being double-teamed throughout most of the game. Doreen Evans also drew double coverage but added eight points as did Crystal Armstrong.

If there was a bright spot in the loss, it was the play of sophomore Megan Martine, who came off the Padre bench again to score 11 with several long range bombs. For Martine, it was the third game in a row in post-season play in which she added crucial reserve scoring. Erin Kraft scored six.

Coach Leigh White singled out the play of point guard Armstrong on both offense and defense. The coach also praised each team member's efforts throughout the season.

But she said Carmel turned over the ball too many times against the tenacious defense thrown up by the Napa County club. Carmel fans turned out in force for the opening NorCal tournament game, and White said she appreciated the phenomenal support.

A spokeswoman at the high school said the Lady Padres had gone to the Central Coast Sectional playoffs back in 1979-1980, but never before had won it.

It was the last game of their high school careers for seniors Murray, Armstrong and Vanessa Gulla, but White said colleges are looking at both Murray and Armstrong.

White said she would give the team a two week break and start spring practice. She said she feels she has some strong players coming back next year but declined to predict what kind of team she will have.

The Lady Padres got into the NorCal tourney and wrapped up the Central Coast title with an easy 51-31 win over Mission Trail Athletic League opponent Notre Dame Friday night at the San Jose Civic Auditorium. They were top-seeded in Division IV because larger King City, the winner of the MTAL, played in Division III.

Against Notre Dame, Kraft, Murray and Evans scored 14, 13 and 12 points respectively, and Murray, at 5-11, was the dominating rebounder at both ends of the court.

Carmel put the game away with a 12-2 run to end the first half, giving the Padres the rubber match for the year. The two MTAL foes had split a pair of close league games during the regular season.

Carmel got to the Central Coast Section finals by beating Robert Louis Stevenson 40-34. It was the fourth time this year that the Padres had beaten the Lady Pirates, and the game was tighter than the final score indicated.

RLS had a one-point lead, 32-31, in the fourth quarter before Evans scored from in close to give Carmel the lead, and Martine came in off the bench to hit the second of two key outside shots to extend it to 35-32 with 2:25 to play.

Against RLS, Armstrong led Carmel with 11 points, Kraft had 10 and Evans picked up nine. Carmel outscored RLS 13-8 in the final quarter to seal the win.

In boys Central Coast Sectional play, Palma whipped Archbishop Mitty 66-47 for the Division IV title. Palma finished first in the MTAL, and Mitty, from the West Catholic Athletic League, knocked out the Carmel boys out in the semifinals. In its first NorCal tourney outing, Palma continued to roll, squashing Bret Harte High from the Central Valley, 75-51.

Carmel Wins Again

Carmel High's baseball team continued on its early season roll Tuesday, beating Harbor of Santa Cruz 3-0 behind the no-hit pitching of Marc Williams and David Bernhard.

It was the fourth straight win for the Padres, whose scheduled game at Aptos Friday was rained out.

Carmel won it with three runs in the fifth. Evi Plata got two RBIs and Williams one. On the mound, Williams struck out six and walked four in four innings. Bernhard closed it out, giving up just one walk while fanning five.



CARMEL'S INSIDE THREAT, Erica Murray, goes up for two of her 14 points in the Padres' 51-31 victory over Notre Dame in the championship game of the Division IV Central Coast Section basketball tournament. *Sun photo by Richard Murray*

Legal Notices

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the city of Carmel-by-the-Sea will conduct a public hearing in the City Hall Council Chambers, located on the east side of Monte Verde Street between Ocean and Seventh Avenues, on Wednesday, 25 March 1992.The public hearing will be opened at **4:00 P.M.** or as soon thereafter as possible.

IF YOU CHALLENGE THE NATURE OF THE PROPOSED ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION OR THE CITY COUNCIL AT, OR PRIOR TO THE PUBLIC HEARING.

1. Consideration of an ordinance adding Article IV to Chapter 17.15 - Community Planning, a Specific Plan for development standards for Block 45 bounded by Guadalupe and Santa Rita Streets and Fourth and Fifth Avenues.

2. DS 91-44
   Francis Duda
   W/s Forest Road bet. 7th and Mountain View
   Block 84, Lot 5
   Consideration of a design study of a substantial alteration to an existing single family residence located in the R-1 Land Use District.

3. DS 91-46
   Russell Quacchia
   N/s 9th bet. Carmelo and San Antonio
   Block U, West 1/2 of Lots 17 and 19
   Consideration of a design study of a substantial alteration to an existing single family residence located in the R-1 Land Use District.

4. DS 91-47
   Rose Ann Feiner
   W/s San Antonio bet. 10th and 11th
   Block A-3, East 76' of Lots 8 and 9; East 76' of North 20' of Lot 10
   Consideration of a request for an amendment to an approved design study for a new two-story single family residence located in the R-1 Land Use District.

5. UP 92-07
   Thomas Kinkade Gallery
   S/s Ocean bet. Dolores and Lincoln
   Block 75, Lot 4
   Consideration of a use permit for an art gallery located in the Central Commercial (CC) Land Use District and in a structure fronting on Ocean Avenue.

6. UP 92-12
   Montana Sport
   S/s Ocean bet. Dolores and San Carlos
   Block 76, Lots 3 and 4
   Consideration of a use permit for a shoe/clothing store in the Central Commercial (CC) Land Use District and in a structure fronting on Ocean Avenue.

7. SU 91-132
   Hugo and Karen Ferlito
   End of 12th Avenue, 3 East of Junipero
   Block 128, Lot 1-A
   Consideration of a request to legalize a subordinate unit in accordance with Ordinance No. 91-14. (Written opposition to issuance filed by neighbor.)

8. SU 91-64
   William Brooks
   W/s Camino Real bet. 9th and 10th
   Block P, Lot 15
   Consideration of a request to legalize a subordinate unit in accordance with Ordinance No. 91-14. (Written opposition to issuance filed by neighbor.)

PLANNING COMMISSION
City of Carmel-by-the-Sea
CARLA RAMSEY, CHAIRMAN
(s) Mary Jahr-Purvis
Secretary of said Commission

Dated: 6 March 1992
Date of Publication: 12 March 1992

PUBLIC NOTICE

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 2, 1992
File No. F920371
The following individual is doing business as:
THE LONE CYRESS CO.
169 Crossroads Blvd.
Carmel CA 93923
LYON ENTERPRISES
169 Crossroads Blvd.
Carmel CA 93923

This business is conducted as a limited partnership.

Registrant commenced to transact business under the fictitious business name listed above on 2/26/92.

(s) Roger W. Winslow

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.

ERNEST A. MAGGINI, County Clerk
March 12, 19, 26, April 2 1992.
The Weekly Sun.

PUBLIC NOTICE

CITY COUNCIL
CITY OF CARMEL-BY-THE-SEA
ORDINANCE NO. 92-06

AN ORDINANCE AMENDING CHAPTER 17.50 OF THE MUNICIPAL CODE, REGARDING APPEALS TO THE CITY COUNCIL OF PLANNING COMMISSION DECISIONS.

WHEREAS; the Planning Commission is the designated planning agency for the City of Carmel-by-the-Sea and empowered with planning, design, and zoning responsibilities; and

WHEREAS; decisions of the Planning Commission may be appealed to the City Council pursuant to provisions established in Chapter 17.50 of the Municipal Code; and

WHEREAS; current appeal provisions do not reflect actual practice in all respects and are cumbersome to administer; and

WHEREAS; the current provisions accommodate circumvention of the Planning Commission proceeding by permitting new information or evidence to be presented at the City Council hearing; and

WHEREAS; the current provisions have encouraged more appeals before the City Council and deter the City from a uniform application of the land use provisions in the Municipal Code; and

WHEREAS; the Planning Commission did conduct a duly noticed public hearing on the draft ordinance on 8 January 1992;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

Section One: Upon the effective date of this ordinance, all provisions of Chapter 17.50 of the Municipal Code shall be amended as contained in Exhibit "A" attached hereto.

Section Two. Severability. If any part of this Ordinance is found to be unenforceable, such findings shall not effect the enforceability of any other part.

Section Three. Effective Date. This Ordinance shall take effect thirty days after final adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of March, 1992 by the following roll call vote:

AYES: COUNCIL MEMBERS: Brooks, Fischer, White, Wright, Grace
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None

Signed,
Jean Grace, Mayor
City of Carmel-by-the-Sea

Attest:
Jeanne Brehmer, City Clerk
Exhibit A is on file in the City Clerk's Office
Publish 12 March 1992, *The Weekly Sun*

-PUBLIC NOTICE-

STATEMENT OF ABANDONMENT OF THE USE OF FICTITIOUS BUSINESS NAME
Filed February 10, 1992
File No. F910733
The following persons have abandoned the use of the fictitious business name:
FINANCIAL RESOURCE CENTER
200 Clocktower Place C-200
Carmel CA 93923
Gregory Alan Fulkerson
1600 Val Dora St.
Davis CA 95616

The fictitious business name referred to above was filed in Monterey County on April 29, 1991.
This business was conducted by an individual.

(s)Gregory Alan Fulkerson

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.

ERNEST A. MAGGINI, County Clerk
Feb. 20, 27, Mar. 5, 12, 1992.
The Weekly Sun

The law requires publication of various types of public notices as a means of ensuring the public is kept informed of issues of importance. *The Sun* encourages its readers to read the public notices printed within the newspaper—they contain news of government, business and people which may be of interest

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed February 4, 1992
File No. F920235
The following individual is doing business as:
ACE AMUSEMENT
28019 Quail Court
Carmel CA 93923
MICHAEL B. KELLY
28019 Quail Court
Carmel CA 93923
Mailing Address
P.O. Box 222634
Carmel CA 93922
This business is conducted as an individual.

Registrant commenced to transact business under the fictitious business name listed above on 2/4/92.

(s) Michael B. Kelly

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.

ERNEST A. MAGGINI, County Clerk
Feb. 20, 27, Mar. 5, 12, 1992.
The Weekly Sun.

THE DEADLINE for Public/Legal Notices and/or advertisements is Friday, 5 pm the week prior to publication. Please check your ad or notice the first date it appears, so that any errors can be corrected immediatoly. We try very hard to be accurate, but sometimes mistakes are overlooked. Call 659-4855 for rates.

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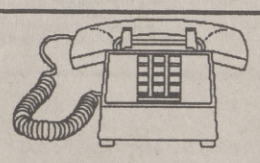
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Judge Says Gates Violated Probation, But Can Avoid Jail

By Carolyn Rice

Superior Judge William Wunderlich found Don Gates guilty of violating his probation Tuesday, but left the 74-year-old owner of the troubled Cachagua Mutual Water Co. a way to escape a prison term.

Giving Gates twice the usual amount of time before sentencing him, Wunderlich said he had until April 17 to transfer title of his wells to the water system and obtain more water for it. By doing that, the judge suggested he might avoid "dealing with something which would not be particularly joyous but substantially unpleasant."

Wunderlich set a sentencing hearing for April 28, noting that sentencing ordinarily comes three weeks after a probation violation hearing.

The judge told Gates that if he asked him for additional time before sentencing, "I probably would give it, but it's a two-edged sword." Gates asked for extra time, and Wunderlich agreed, but told Gates he would come down hard on him if he did not comply during the additional time.

A resident served by the water system, Sarah Keir, said "It's not really complicated. He didn't do what he was supposed to do. Since then he's been weaving a pattern to disguise the fact he didn't do what he was supposed to do."

Gates blamed the County Health Department and the Cachagua residents who are served by the water system for his inability to make all the improvements in the water system that Wunderlich ordered him to make Aug. 29.

The order said Gates must come up with 25-gallons-per-minute (GPM) of water immediately and ultimate pumping capacity of 37 GPM to serve the community at its buildout of 30 homes. Gates said in tests conducted Feb. 19, the water company was able to produce 17.4 GPM.

Repair of the water system, which serves 18 homes, was supposed to have been completed by Dec. 15, and Gates was brought up for a probation violation hearing after his probation officer charged the work was not done.

Gates told Wunderlich, "In every case, the Health Department has stood between my desire to get this in place." He went on to say the department "has neglected and refused to give me a permit."

But Mary Anne Dennis of the Health Department said Gates "never had a complete package together that met all the requirements at any one time."

Acting as his own attorney, Gates called Eli "Bud" Tucker, former court appointed manager of the water system, to the stand and accused him of not helping to make repairs. But Tucker said he had specifically asked Judge Richard Silver following a civil proceeding over the water system whether he would be responsible for repairs, and Silver had said the repairs were Gate's responsibility.

Tucker said he made repairs which were necessary to provide water to the residents who did not have water in their homes for about two months after a freeze burst some of the system's supply lines in December of 1989.

William DiLorenzo, a nearby landowner, testified he had offered to sell two wells and a water system he has installed to serve four lots to both Gates and the Cachagua Mutual Water Co. But since his offer, a property served by one of the wells has gone into bankruptcy, so DiLorenzo said he had no longer has rights to that well at this time.

"Until the Cachagua Mutual Water Co. is finished (all shares in it legally issued), I will make no agreement," he said. "I have three lots. I want a legal water system. If I want to sell them, I won't be able to if I enter into any agreement with you (Gates) or the Cachagua Mutual Water Co.," he said.

DiLorenzo said he had offered the wells for $40,000 which was "a damn reasonable offer—excuse my language."

But the attorney for the Cachagua residents, Jane Haines, said they could not negotiate on any such offer because Gates still owns the water company and no shares have been issued to residents served by the company.

Dennis told Wunderlich that Gates could have transferred title of the wells he owned to the Cachagua Mutual Water Co. anytime during the last nine months. "There has been no obstacle to Mr. Gates," she said.

Doug Matheson, deputy district attorney, said Gates "just doesn't want to make the financial jump to comply with the court order." Matheson tried to show during the hearing that Gates had the wherewithal to pay for improvements to the system.

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